

Emeralds in the Crown of Islam

Imam Abu Hanifah, ra.

Imam Malik bin Anas, ra.

Imam Muhammad bin Idris al-Shafi'i, ra.

Imam Ahmad bin Hanbal, ra.

Sheikh Mohammad Iqbal

This Treatise is Dedicated

to

Dr. Muhammad Hamidullah
rahmatullahi 'alaihi

The Greatest Missionary of the Contemporary
Islam A Distinguished, Fervent and Selfless
Muhajir from the Nizam's Hyderabad.

Call of the Four Great Imams

This treatise aims at introducing the founder-jurisconsults of Islamic Law namely, Abu Hanifah, Malik bin Anas, Ibn Idris al-Shafi'i and Ahmad bin Hanbal, *rahmatullah-i 'alaihim 'ajma'in*. It was tragic that men in the past should have ignored the hard reality that all the said Imams bore endearing qualities besides having mastered Knowledge from the fathomless springs of the Quran and Sunnah. Instead, the altruistic believers should have collaborated in achieving coherence, cohesion and consolidation in the Ummah and thereby proved their loyalty to the universal Message of Muhammad, *'alaihissalam*, for the reason that it ensured salvation not only to Muslims but also to the rest of Humanity.

The four eminent Imams and their true pupils never wanted to create conflict or strife among the votaries of Islam. They issued verdicts, opinions and decrees (*fatwas*) within their comprehension on *furu'* (branches) and not on *usul* (roots or fundamentals) of the *Shari'ah*, or, in concrete terms, in accordance with the provisions of the Quran and Sunnah. Regrettably, some unimaginative 'followers' in each juristic School seem to have brutally insisted on the stand of the respective Imams on *furu'* and this at the expense of *usul*. Such an unwarranted approach to ordinary issues definitely harmed the essentials of the system and society of Islam.

The situation in which the Muslim Ummah (in the Quranic sense) has been made to land today by various factors, necessitates that all its sections must avoid differences in *furu'* and rejoin under the specious and spacious umbrella

of the Book of Allah and the basics of the Prophetic Sunnah. To reach the sublime goal in view, it is imperative that the Faithful should sincerely try to own the excellences, virtues, qualities and distinctions of all the four Imams and their righteous successors which the Most High had invariably conferred on them.

To achieve solidarity against the assaults of corruption and evil, a dispassionate study of the personal merits of each Imam is a must today. Literature in Arabic on all of them is available. In Urdu, one may count on Shibli's *Sirat-e Numan*, and Rais Ahmed J'alari's *Aimmah Arba'ah*. The Delhi reprint of the latter, which is a unique literary endeavour, is not readable and needs fresh scribing or composing for the benefit of all. However, those who make a resolve to write on the sacred lives (say, on the *Emeralds in the Crown of Islam*) must steer clear of the morass of all damaging controversies.

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Introduction

This booklet, expected to be in firm hands, is not a big attempt at research in a field so far untraversed by those who want to promote an understanding of the practical aspects of genuine Islam. But why was it written or compiled by this well-wisher of the Muslim Ummah and of all peace-loving sections of Humankind? There is a sad story behind it that caused this humble endeavour to assume the present form. Reportedly, early last year, someone 'enjoying a status in his typical set-up' told an interviewer that all the troubles of the world were because of the fundamentalist/Wahhabi/extremist Islam. Had I been present on the occasion, I would have asked the 'gentleman', who created the Issue of the Palestinian Arabs and such other Problems for the Muslim communities concerned, so that their youths turned violent and courted death for an honourable, rightful and reproductive existence in their ancestral lands.

The statement of the above type was natural to provide food for thought for a man of fervour and conscience, who, from time to time, had sacrificed his career and personal and family interests in order to uphold truth, justice and reality. I pondered how harmful and exaggerating an opinion about Islam and its true votaries was being framed and given prominence at a time when Arab/Islamic countries and peoples were being subjected to untold hardship, suppression and exploitation, and how their basic and otherwise inviolable rights were being trampled under the iron-heels and dealt with bayonets and bombardment. I resolved to summarize parts of my more than four decades of research work, brought out a Paper which, I hope must have helped remove the misconceptions of the misinformed circles. Before dealing dispassionately with the Arabian Reform Movement and after defining Islam as plainly as I could, I recorded the following understandable observation:

"This is Islam at once just, moderate and realistic. Under the Divine Commands, the Last of the Prophets of God, made it practical by freeing it from human pretensions, and his Apostolate added to it five regular obligatory daily prayers, fasting in Ramadhan, payment of Zakah, and performance of Hajj at Makkah once in life. Jihad was not to be normal duty but an emergent need. And if and when it was to be waged in the form an armed struggle, no one could initiate it on his own but it was to be declared after fulfilling certain basic conditions. Besides, truth, honesty and justice were to govern human relations in a Muslim society. And this was to be Islam, pure and simple, and any other Islam, one may call it Wahhabi or Sufi Islam, has had no place in Muhammad's universal system of life. Speaking in clear terms, the former is a misnomer, and, if any one reads coercion in matters of Faith, he should turn to the Quran that enjoins, "There is no compulsion in Religion; Truth stands out clear from Error" (II:256) And the latter is retrograde and false in case it misdirects a Musلمان who is already on the Path identified for him by the Final Messenger of Allah, on him be peace."

When published, the above-mentioned research essay was widely appreciated. Nevertheless, several months after its appearance, I thought that it is imperative and vital to my mission that I should further clarify historical events and facts, in some other context, in order to build an affectionate society of Muslims, free from mutual hatred and disposed to peace enabling them to unite in accordance with the Commands of the Quran and the Sunnah. Once this noble aim were achieved it would possibly improve and remedy the erroneous views of our non-Muslim friends which they have been holding about the Faith and followers of Muhammad, on him be peace.

The Holy Quran nowhere permits the idea of disunity among the believers. Its Commands are clear and unambiguous about maintaining and promoting cohesion and collaboration that can fetch fine fruits of solidarity. The objective underlying these Commands is based on the singular Reality that Allah is One and that He is the Supreme Lord of the whole Creation that works under His unalterable Principle. The whole Existence is under His unshared control and subject to His Will. Therefore, the creatures are expected to respect the established Order both on Earth and in the Space. If they do not abide by His Command, they are sure to bring upon themselves a colossal calamity that might be the beginning of a disorder that would lead to the end of this world.

Muhammad, *'alaihissalam*, preached *Al-Tawhid* for the whole period of his eventful Ministry, and the whole Text of the Quran is imbued with this very theory or principle. The Religion it teaches, and the Prophet who practised it and instructed others to follow him, stood for plainness, justice, high morale, fortitude and affection. It rejected division or controversy in any circumstance. The Messenger of Allah, on him be peace, did not allow groupings and classes in religion except on basis of piety and devotion. No doubt, he had made an assertion like the one, *Ikhtilafu Ummati Rahmatun* ' (difference 'in views' among the Ummah is a blessing), but it was not to be understood in negative terms. Difference in views or opinions should promote discussion, deliberation and consultation among men of clean mind and comprehension. Once the issue becomes clear and a decision is arrived at unanimously or even by majority vote, the whole affair turns to be a blessing.

Before being recalled by Allah *Subhanahu*, Muhammad, the Prophet of Mercy, on him be peace, left two legacies, —the Book of Allah, and, his Sunnah, ensuring that the true adherents of Islam would never deviate from the right course. Necessarily, no disputes, no real issues and no dissensions were to be expected after his departure from this transitory world. Any differences that arose between individuals, the Apostle in his

time would settle himself when the same were submitted to him. At the time of his demise, the issue of a future ruler (Caliph) raised at Thaqifah Banu Sa'idah was resolved by the sagacious attitude of Abu Bakr, Umar ibn al-Khattab and the Ansar (rdh) of Madinah. The difficulty said to have arisen between the Apostle's first Caliph and the exteemed 'Alavis was more or less unsubstantiated. Even if we admit that 'Ali bin Abi Talib (rdh) 'delayed' his oath of loyalty to Abu Bakr (rdh), there was no reason for a disagreement between the two. Firstly, the former recognised the privilege of Abu Bakr to be the political successor because the Apostle of Allah, on him be peace, had nominated him for leading the prayer services and as the Amir al-Hajj in 9 AH., and that he had other distinctions too. Secondly, when Ali bin Abi Talib (rdh) was himself Amir al-Muminin, he was asked by one of his close supporters why there was trouble in his time and under Caliph Uthman bin 'Affan (rdh) and not during the Caliphate of Abu Bakr and Umar Faruq (rdh). Caliph Ali (rdh) answered: "They had behind them people like us, and, we have had behind us people like you." Thirdly, Amir al-Munminin Ali (rdh) sincerely asserted more than once, "After the Apostle of Allah, on him be peace, Abu Bakr was superior and next to him was Umar bin al-Khattab (rdh)."

As for the differences between Amir al-Muminin Ali (rdh) and Amir Mu'awiyah (rdh), they were ultimately resolved but at a cost. The attitude of Banu Fatimah (or Banu Ali) towards the successor of Caliph Mu'awiyah was stiffened because of the growing tendency of the latter towards autocracy and the arrogance and inhumanity of his army-men. The undependable nature of the Kufans also prolonged the dissensions among Muslims. Regarding the revolt staged by Iraqi and Egyptian factions against Caliph Uthman (rdh), it was unbridled as well as grounded on misunderstanding. The martyrdom of Amir al-Muminin Uthman Zu al-Nurain (rdh) and that of Imam Husain bin Ali (rdh) were unfortunate occurrences and the killers in both cases were according to consensus, in the wrong. Both the crimes were punishable under Islamic Shari'ah and the Divine Law of Retribution.

What happened in the closing years of the Pious Caliphate and after, had somewhat political bearing. If some Umavi and Abbasi rulers exceeded in using powers, they indeed ignored reasonable limits on their authority. This was an unhappy trend in an otherwise superb polity based on high ideals, principles and values. But a worse development came in the wake of hostilities between Amir al-Muminin Ali and Amir Mu'awiyah: it was the refusal of the Khawarij to recognise the Caliphate of the former and event that of Uthman bin 'Affan (rdh). In the first case the reason was that Caliph Ali (rdh) had accepted the proposal of Arbitration to settle the issue with Mu'awiyah which according to them was derogatory to the content of the Holy Quran. This was enough for mounting tensions among Muslims. All this went on like that till the Abbasis (Al-Saffah and Al-Mansur) cleared their way for capturing the portals of power. While the political issue was settled, a new threat to the solidarity of Islam and the Ummah began looming large: one was presented by the attitude of unaccountable Caliphs, and the other surged from the rebellious notions of a group of separatists who misled the rulers like Mumun and Mu'tasim. This time the assault was on the Divine origin of the Holy Quran, and it was led by the Mutazilah such as Ibn Abi Dawud and his ilk. As a result, some of the eminent jurists and traditionists were either killed or subjected to corporal punishment.

What happened at the hands of individuals and factions since after the assassination of Caliph Uthman (rdh), was a deplorable chapter in Muslim history. But it could not intimidate men of resolve and perfect Islamic ideology. There was an impressive galaxy that comprised, invariably, the younger *Subahah* (Companions), the *Tabi'in*, the *Taba' Tabi'in*, the jurists and the *Muhaddithin* (traditionists) followed by *Awliyaullah* (the Friends of Allah). Each of the category of men fortified the ideological structure of Islam and in that endeavour each worked very hard and many of them suffered and succeeded in preserving the socio-cultural and spiritual integrity as had been established under the supreme leadership of the Apostle of Allah, on him be peace, and his dedicated

Companions. The highest source of inspiration and strength, — the Holy Quran and the Sunnah, remained unaffected, the first had been already safeguarded (from human interpolation) by Caliph Abu Bakr's timely *Jam'ul Quran*, and the latter by the sustained efforts of the *Muhaddithin*, Allah bless them all. It was, however, admirable on the part of the jurists who made best of both the sources, thereby developing and codifying the Islamic Law. The spiritualists (the *Awliya*), who remained at a distance from mundane politics, kept the torch of a 'collective hope' too high to be extinguished by the political libertines and renegades as also by the foreign marauders.

I am tolerably aware of the intervals of decline in Muslim History after each period or era of supremacy and the refreshing role that the respective leaderships played in the hour of need. The chief cause of decay used to be the loss of individual and collective Islamic character. By the time, Imam Abu Hanifah (ra) came to found his School of Jurisprudence after strenuous work on the supreme sources of Shari'ah, the vast field of Islamic Law was ready for many others in the Hijaz and Iraq. Happily, the right-thinking contemporaries (such as Imam Malik) and the future Jurists respected him (Abu Hanifah) as a precursor in Jurisprudence. This was inspite of the disagreement of some of them with the Imam's judgments on branches (*furu'*) if not on the roots (*usul*). Concretely speaking, all the four Imams-cum-jurisconsults, namely, Abu Hanifah, Malik bin Anas, al-Shafi'i and Ahmad bin Hanbal, — Allah shower His blessings on all of them, were one in serving Islam, directing its votaries on to the right track by resolving the issues in the light of the Quran and the Hadith, and, in case these were silent, then they took to analogy or consensus in varying degrees.

The four revered Imams may be likened to the Physician / Surgeon/Specialists, whose fundamental aim was to promote the Science of Medicine and Treatment or Anatomy in order to save the precious lives of the community and cooperate in maintaining its collective health and vitality. That would ensure the solidarity of the society built on certain basic rules prescribed

by the Creator and, in the first instance, implemented by His Messenger, Muhammad, '*alaihissalam*, the Saviour of Mankind as a whole. However, when the 'Health Organisation' was enfeebled by the later pseudo-doctors, the mission of the true, sympathetic and dedicated experts was disrupted. Actually, the succeeding obscurant jurists and muftis forgot the essence and spirit of each-founder-Imam and exhausted the potentialities of the Ummah by creating controversies minding not their evil consequences on the socio-religious structure. They did not sit together in the manner of Imam al-Shafi'i, Imam Abu Yousuf and Imam Muhammad (ra) and sort out differences through discussion. They did not follow the great Imams who would, in a spirit of realism, concede when conditions warranted. In short, some of the later comers, and the ignorant abandoned the rich legacies of the real makers of the Juristic Schools. Moreover, it was tragic that they refused to be inspired by the remarkable similarities between the founders.

As soon as the inquisitive student or reader plunges into an effort to understand the personal aspect of the life of each Imam, he or she will find that there was something magnetic in each. Thus all the Imams, — Abu Hanifah, Malik, al-Shafi'i and Ibn Hanbal, Allah bless their souls, were physically attractive, with an aura around their appearances. All of them were generous and hospitable even though the degree of this quality differed. All of them strove hard in the domain of Jurisprudence by concentrating on the deep study of the Holy Quran and the Hadith. All of them preserved the wealth of Knowledge based on these two supreme sources in their memories, in documents or in volumes. All of them were versatile geniuses and erudite and encyclopedic scholar-jurists. All of them and their reputed legatees were free from mutual rancour and jealousy and appreciated the worth and distinction of one another. All of them suffered at the hands of oppressors though in the case of Abu Hanifah and Ahmad bin Hanbal (ra) they exceeded limits.

Imam Malik bin Anas (ra) was flogged by J'afar, the Wali of Madinah, and, al-Shafi'i was arrested and carried from

Najran to Baghdad but was saved from execution by his moving oratory. Imam Malik had his own ways to enjoy exemption but was free from the evil of flattery. Abu Hanifah and Ibn Hanbal rejected offers and enticements from the rulers with whose methods they differed absolutely on pain of punishment. Both the Imams were put to very hard tests, but one survived the storm of the *fitnah* of *Khalq-i Quran*, and, the other succumbed to a Court intrigue during his detention ordered by Caliph Mansur. And above all, the roles and contributions of all the four Imams and their near or distant disciples could have worked as a common source of inspiration for the posterity, and, the pretensions causing any kind of dissensions could have been ignored right out. Because of the panorama of the personal qualities, merits and excellences of all the Imams, I have confined myself to presenting them as Emeralds in the Crown of Islam. I have avoided indulging in magnifying the differences in their interpretation and judgment on legal or religious issues that did not touch the *usul* (roots) of the Islamic Shari'ah or the fundamentals of the Quran and the Sunnah.

It is a big question, no doubt, why the thinktank of the Muslim Ummah could not make the best out of the rich legacies of all the Imams and why it fell apart once it had separated itself from the magnificent guidance of the Book of Allah and the word and deed of the Apostle and his Right-Guided Caliphs, and, as a result, from cohesion was pushed to division. Reduced to liabilities, the Muslim peoples were overwhelmed by antagonistic forces. They turned to be weightless, voiceless crowds, shorn of power and prestige, lacking even the will to resist the evil and the artificial might of the assailants. Past is past, we should and must be concerned with our problematic present. Surely, we must draw inspiration and part of sustenance from the glories of yore but it will be futile to sit on them and live by them without striving ourselves. However, our condition or situation is somewhat the same as it was during the age of Imam Ibn Taimiyyah (ra), who, in his days "bowed to no authority other than that of the Quran, the Prophet's Sunnah, and, the practice of the *Khulafa al-Rashidun*, Allah be pleased with

them, and, who raised his voice against all that went against the teachings of the Apostle of Mercy, on him be peace." In that age, the prevailing innovations and the repeated aggressions of the outrageous Mongol hordes had eaten into the vitals of the whole Community of 'believers', turning their leaders into spineless entities. That situation exists in our times as well and has continued since the 18th century C.E. A brief Saying of the Apostle of Allah, on him be peace applies to the present incapability of many a Muslim people of the world. Narrated Abdullah ibn Umar, Allah be pleased with both: "The Messenger of Allah, on him be peace, said: (Time might come) when the people may be like a hundred camels, but there will be none capable (fit) of being (used) as a conveyance." (*Muttafaqun 'alaihi*).

Let my contemporaries, old and young, male and female, put their trust in the Most High, and hope that the basic objective of this publication, will, *Inshallah*, be realised, if only, they visualise the impending threats and dangers in the light of the above Hadith and the Hadith of the Companion Thauban, Allah be pleased with him, which has been reproduced at the head of the Epilogue of this publication. Those who sincerely try to comprehend the essence and the implications of the two prophecies, cited herein, will agree that these require all Muslims to satisfy a few demands. Then alone can they be restored to their former position and after their reinstatement be able to contribute to their common good and the good of all Humanity.

The first and foremost demand, nay, an unavoidable necessity is that the believers in Allah and His Last Messenger, here and elsewhere in the world, must effect a return to His Word. They must revive their links, since cut off, with the Quran and the authentic Sunnah, and, for their own salvation, and their self-imposed separation from the most inspiring source-spring. Again, on the foundations of the Divine Message and the Hadith of the Apostle, on him be peace, they should rebuild their religious, politico-economic and socio-cultural conduct and moral character. Theirs should be a religion at once simple, moderate,

tolerant and spiritually absorbing as was propagated and practised by the Prophet of Realism, on him be peace. But no religion can be Islamic if its followers act detrimentally to the fundamental requirements of *Al-Tawhid* with the instances of which the Holy Quran and the Sunnah are replete.

Secondly, all Muslims must respond to the Divine Call to transform themselves into *Ummatan Wasata*, and, imbibe all those qualities and values which it requires of them to cultivate and which were stressed by the Most Eminent Bearer of the Book of Allah. In other words, promoting believers' *makarim al-akhlaq*, as envisaged in the system of Islam, is highly desirable today in view of the fact that the Muslim communities have become a plaything with the self-conceited detractors who are busy digging the foundations of the Muslim Ummah. It was Jamal al-Din al-Afghani (ra) who emphatically told his co-religionists about six scores of years ago: "It is the unavoidable Law of Nature (Creation) that the people who bear high morals succeed in life, too, and those who are devoid of them, cease to exist." Only wisemen can explain the difference between the real existence and mere life of survival. Good and evil is to be differentiated so that the goal and role of Muslim society becomes clear for the good of all. That is basic to Islamic pattern of life and that was the main contribution of Islam to Humankind. Decades back, Dr. Muhammad Hamidullah, Allah bless his soul, while writing his essay on Islamic Jurisprudence observed: "In expounding the Quranic statement, 'Do what is *m'aruf* (good) and abstain from what is *munkar* (evil), the Muslim philosophers of Law developed an all-embracing system."

Yet, The Muslims need to regain all those great things and excellencies that they lost during the centuries of their decline. That should mean that without loss of time they should resume work on scientific research, promotion of Islamic studies, Social Sciences and the code of morality. Efforts towards picking up latest technology are to be intensified. That should imply maintenance of educational institutions, scientific and technological centres at every level. Dispassionate Western

scholars have already admired the earlier role of Muslims towards enhancing interest in scientific advance and promotion of learning. It will, however, be remembered that while putting on record their achievements in various domains of scientific activity, the Muslim scholars and scientists remained within the bounds of their religion.

Lastly, not less significant is the readiness of both the practising and non-practising Muslims to banish from the society all anti-Islam and anti-*Tawhid* innovations, moral and material corruption, coercive ignorance, evilsome tools and trifles of the modern age and wasteful hobbies, and, all along, create an atmosphere of discipline and an austere attitude, with the quality of honesty embellishing it, so that they find just and efficacious solutions to their outstanding Issues and Problems, and, at the same time, protect the resources that Allah *Subhanahu* hath given them against exploitation and alien aggrandisement.

In the end, the need to print and publish this virtual treatise on our most distinguished founder-Imams of Islamic Jurisprudence seems to be urgent at a time when Muslim Ummah stands confounded on the cross-roads. The justification for calling them 'Emeralds' lies in the brilliance of their reconstructional role and contribution, and the fact that theirs was a collective and everlasting achievement is not an over-estimation. The original idea about this writing was to serialise it in a journal of standing. But presenting it as a literary panacea to our ailments would not have served the purpose in that way. The idea was abandoned, firstly, in view of the existing fissiparous tendencies in the current Media. Secondly, I have noted with regrets that every useful or crucial articles appearing in Papers, written with dedication for the relevant sections of the population and its organisations, are not taken seriously by the constituents that avoid mending themselves while they claim to represent the emotions, aspirations and permanent interests of the people concerned.

Thirdly, why this somewhat unique literary piece and plea

was not sent to a Monthly, Weekly or Daily, was owing to the fact that on important occasions, some 'instructed hands' become courageous to sacrifice vital documents on the altar of expediency. That should point also to the lack of supervision in the domain of journalism at the preparatory stage. This is what happened recently with a valuable research paper of a selfless scholar. The pages encompassed the dynamic role of the leaders of a country, who, besides having made history in their own national reconstruction and Hajj Services, broke records of promoting human welfare by rebuilding fallen economies of the poor and needy nations and by advancing regular financial aid (without strings) to their development plans, educational and medical institutions etc. Moreover, they have since undertaken gigantic tasks of establishing, reorganising and strengthening Islamic organisations such as the Muslim World League, the Islamic Development Bank, the Islamic Conference Organisation, and the World Assembly of Muslim Youth.

The said research paper on the *Khadim al-Haramain* was *not an ode* composed to flatter a monarch but that it was the product of a sustained effort that carried with it positive suggestions besides narrating historical facts about an effulgent Kingdom with a leadership that has ceaselessly and at times successfully moulded opinions on the Middle-Eastern and Islamic Issues. Those who are trying to draw curtains on the role and achievements of important parts of Muslim world, are not doing any service to the Faith of Islam. In relevance to the 'sin' of the Mediemen, I should state it without any fear of being contradicted, that the enlightened policy of extending welfare aid by the richer West Asian States was for long an eyesore with the Western diplomats and financiers so that their leaders created problems of peace in the countries concerned only to deprive them of their ideal programme of helping resourceless countries. The global planners, strategists and interested statesmen should thank their stars that they have volunteers in the eastern hemisphere who are 'loyally' or unawares advancing their schemes, even though indirectly, and nobody can, perhaps, predict with what consequences. I regret the attitude which is,

most probably, born of misleading notions of a mundane polity that is presently terribly harming the cause of world peace.

I thank all those friends and gentlemen who have helped me in word and deed to dress this humble effort towards Islamic Revival and Reform in the garment of reality, and, thus allowed it to see the light of the day.

Dated : 23-3-2006

(Sheikh Mohammad Iqbal)

Chapter One

Prologue

"He it is Who has sent down to thee the Book: in it are verses basic or fundamental (of established meaning); they are the Foundation of the Book; others are allegorical. But those in whose hearts is perversity follow the part thereof that is allegorical, seeking discord, and searching for its hidden meanings, but no one knows its hidden meanings except God. And those who are firmly grounded in knowledge say: 'We believe in the Book; the whole of it is from our Lord: ' and none will grasp the Message except men of understanding.'" (Al-Quran, III: 7)

As per Divine Revelation, the Message borne by Muhammad, the Last of the Prophets of Islam, on him be peace, was meant for the totality of Mankind and not for a part of it, nor was it to be confined to a particular people or region, as had been the case with various apostles including those deputed to the tribes of Israel. The prophets of old had foretold the arrival of 'the Counsellor', 'the Comforter', 'the Saviour' and 'the Praised one' (*Pariclytas*), who was to inaugurate the Kingdom of God on Earth along with a system (*Nizam*) to liberate the oppressed, the ignored and the misguided. And by all reasonable estimates, it was to be none other than Muhammad of Arabia, on him be peace. Moreover, the Lord of the Creation had willed that the Religion of Islam should prevail with its fundamental principles to govern life in the Universe. The approval to that end was conveyed to the Final Messenger of Allah, on him be peace, on the occasion of the Farewell Pilgrimage (*Hajjatul*

Wida'). Verse 4 of Surah *al-Maidah* reads in part:

"..... This day have those who reject Faith given all hope of your religion; yet fear them not but fear Me. This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion."

As for the universal nature of the Prophet of Islam's role it has been observed:

"The supreme distinction of Muhammad, 'alaihissalam, consisted in the fact that while others came to teach the secret of national unity and progress, he expounded the grand truth of the fundamental oneness of the whole human race and chalked out all the highways and bye-ways along which lies the prosperity not of this or that nation but of entire Mankind."

Besides, a *Hadith* is recorded in *Mishkat*, wherein the Apostle of Allah, on him be peace, speaks of the unity of all: "The whole of Mankind is the family of Allah and he amongst His family is dearest to Him, who does good to others." In further amplification of the Message of Islam, it is worthwhile to quote Dr Ralph Austin of the University of Edinburgh, who has very ably analysed its special features and the same may benefit the inquisitive minds. Writes he among other things:

"The message of Islam is a message of truth and reality, an Absolute Truth and an Infinite Reality; and Absolute Truth of which all human truths and identities are but dim and fleeting glimmerings, and an Infinite Reality of which all measurable nature, with all its complexities, is but a passing and partial image.....

"Islam is a message of unity and universality, the Oneness of God and the Brotherhood of Man in

the community of assent and belief. The Quran says, 'Say, He, God is One', and, 'The believers are only Brothers.'....."

"..... Islam strives for a whole Humanity, free of the tyranny of factional and sectional imperatives which it attributes to a state of ignorance. Islamic man constitutes one Community, one people of God, subject only to the One God, concerned only to execute His revealed Commands."

"Islam as a message is the Message of Finality. It teaches that 'it is the Last Religion' ordained by God for Mankind, that its Word is God's Last Word, and that its Prophet Muhammad, on him be peace, is the Final Messenger whom God will send to man and the world. This Message of Finality, however, is also a message of unique opportunity in that Islam, as final sums up in its message all that was gone before it and includes in its finality all the blessing of primordial and first things....."

"The Message of Islam is to be understood in the light of the Mission and Messianic position of Muhammad, on him be peace, the Quran that was revealed to him, the Finality of His Apostleship, and the example he left for the salvation of Mankind and other creatures meant for its good."

Necessarily, Islam is to be known in its right perspective as it demands absence of bias, rejection of false information, broad vision and plain attitude of the recipients of the Message, and the selflessness of the believers themselves. It is a recognised fact that Islam is much more than a mere religion. Sheikh Ahmad Sirhindi and Shah Waliullah (ra) in their life work "made it clear that Islam is not a religion in the usual sense of the term but a complete code of life which aims not only at individual righteousness but that it provides a frame-work for all individual and social activities." The Holy Quran and the

Sunnah as the two supreme sources of Islam's legal and socio-economic system, present it as an integrated whole. Therefore there is no scope for controversies over the basics of Muslim civil society such as exercise of State power, nature of political and economic institutions, rights and duties of a citizen under Islamic Government, conduct of public administration, and, regulation of relations with other countries and communities.

The Prophet of Islam, on him be peace, promulgated the system according to divine directions and it was given a form during his most eventful Apostleship. The Right-Guided Caliphs developed it further and under them the eminent Companions in their various positions implemented what they were commanded to do by the Master, on him be peace, and his immediate successors. Despite the emergence of the institution of monarchy and the tendency of some Caliphs and Sultans towards an autocratic rule, no one had the audacity of changing or violating the fundamentals of the Quran and the essentials of the Sunnah. One would ask how was it possible then to disarm all those influential elements that could have coerced men of consequence and the common people to accept their 'philosophical nations' borrowed from the alien cultures. The answer could be the dynamic role of the outstanding jurists and the traditionists who struggled against the self-conceited rulers and sycophants with their backs to the wall in earlier centuries of Hijrah Era. Thus were the coming generations saved from ignoring the vital injunctions of the Holy Quran, the legacies of its bearer, and decisions of the Righteous Caliphs. Had the roots (*usul*) and the branches (*furu'*) of the system been affected in some way, it would have embroiled the believers in futile controversies making them forget their original mission on earth.

It is, indeed, gratifying that numerous Companions of the Prophet of Islam, on him be peace, more attentive and assiduous among them, heard both the Divine Revelation and the Hadith from him, and were not only to carry out the Quranic Commands and the Apostolic instructions that existed in three forms, e.g., words, deeds and approved acts (together called the Sunnah),

from the start also guarded jealously the treasure-house of knowledge they had individually or jointly gathered from the source-spring of the Apostle of Allah, on him be peace. Thanks in particular to Umar Faruq the Great (rdh), whose worry at the loss of too many memorisers (*Huffaz*) of the Holy Quran in battles awakened Caliphs Abu Bakr (rdh) to the need for reassembling the scattered portions of the Divine Text and arranging these into a single volume under an expert committee. Again, Huzaifah bin Yaman (rdh) deserves the unanimous appreciation of the Muslim Ummah for rousing Caliph Uthman bin 'Affan (rdh) to the impending danger of dissensions owing to differences in pronouncing words and letters while reciting the Quran so that he got copies prepared from the original sacred volumes and sent these to regional capitals.

Similarly, efforts for collecting the ingredients of the Prophet's Sunnah (his Sayings, acts and actions of the Companions approved by him) which lay in the custody of the individual Companions, were launched from the beginning. In this respect, every Companion, trustworthy in the main, was regarded to be a dependable guardian of *Ahadith*. Each dedicated Companion, naturally, protected the fund of knowledge in this domain and, finally, transferred it to the traditionists in proportion to one's capability and closeness to the Apostle of Allah, on him be peace. Also, those of the Companions who became Caliphs, administrators, army commanders and leaders of expeditions or pilgrimages, accumulated the records of their practices in consonance with the contents of the Quran and the Prophet's example. They propagated words and deeds in conformity with the instructions of the Apostle who had said with an emphasis, "convey from me (to others) even if it be a single *ayah* (verse or word)."

The urgency of the Caliphs to uphold justice through settling issues, and administering public affairs efficiently and the right functioning of various institutions, together gave the posterity a complete understanding of the Islamic system. In future, the erudite scholars, *Sirah* writers, industrious learners,

and visionful Imams and jurists of great consequence arose and took to studying the Quran and *Ahadith* to find out rules and regulations to be applied to people, the offices and religious services. Eventually, this necessitated seeking more information, gathering more *Ahadith* and writing more on the blessed lives of the Prophet, on him be peace, and his Companions. Accordingly, the category of the great Imams and *Muhaddithin* (traditionists) had to meet those who happened to be the keepers of authentic Sayings, shedding light on the Sunnah to facilitate their role in raising the marvellous edifice of the legal system of Islam.

That the Hadith collections were a later development is not a correct view. A number of Companions had privately gathered *Ahadith* as they heard them from the Apostle of Allah, on him be peace, or obtained them from their brethren who used to remain close to him, or attended him for long. For instance, Ibn Munabbih recorded the *Ahadith* that his teacher, Abu Hurairah, Allah be pleased with him, dictated to him. This collection is called *Sahifah Hammam bin Munabbih*, and it was published by Dr. Muhammad Hamidullah (ra) both in English and Urdu with a detailed scholarly Introduction. About the degree of care and honesty maintained by the Companions in noting down the Sayings of the Prophet, on him be peace, and his actions may be known from what Dr. M. Hamidullah (ra) writes in his essay on Islamic Jurisprudence that appeared in a monumental Pakistan publication (*A History of Muslim Philosophy*, 2 Vols., Ed. M.M Sharif, 1963):

"A number of the Companions of the Holy Prophet put their memoirs on the subjects of Hadith and Sunnah to writing in the very lifetime of the Prophet. One such compilation, the *Sahifah Sadiqah* of Abdullah bin Amr bin al-'Aas, is reported to contain one thousand reports. The case of Anas (bin Malik) is much more interesting. In later times, when requested by his pupils, he would bring out a box and show them note-books (*majallat*) saying, "That

is what I wrote from the sayings and doings of the Prophet, and also read to him from time to time, so that if there was any mistake he removed it himself.' Many more Companions prepared their memoirs after the death of the Prophet (on him be peace), yet they were all supposed to have been based on first-hand knowledge. Later generations compiled the memoirs of these different authors, always scrupulously mentioning in each case its source." (p.1228)

The four great Jurist-Imams to whom we shall instantly advert, were closely followed by actual traditionists, that is who gathered *Ahadith* from persons spread over the whole of Arabia, and the Fertile Crescent (Iraq and Syria) and possibly even Egypt. Those who collected *Ahadith* (other than Imams Malik and Ahmad) won reputation for their dedicated performance, were ten, and two of them Imams Bukhari and Muslim (ra), gained much credibility for their contribution in the domain of *Sunnah*. Their collections are called *Sahihain* and, again, these and four other collections are regarded as *Siha-i-Sittah*. When a *Hidath* is found in both Bukhari and Muslim, it is termed *muttafaqun 'alaihi*, that is agreed by both the eminent traditions. The names of the fourteen Imams and *Muhaddithin* are given hereunder with the years of their birth and demise:

| | |
|----------------------------------|-----------------------------|
| Imam Abu Hanifah (80-150 H) | Abu Dawud (202-275 H) |
| Imam Malik bin Anas (93-179 H) | Ibn Majah (209-273 H) |
| Imam Al-Shafi'i (150-204 H) | Imam Nasai (215-303 H) |
| Imam Ahmad bin Hanbal (64-241 H) | Imam Tabarani (260-360 H) |
| Imam Bukhari (194-256 H) | Abdullah Darimi (181-255 H) |
| Imam Muslim (206-261 H) | Dar Qutni (306-385 H) |
| Imam Tirmizi (209-279 H) | Imam Baihaqi (384-458 H) |

There is no scope here for a description of the ten outstanding traditionists. Presently, we are only concerned with the four precious gems in the Crown of Islam, namely, Nu'man

bin Thabit (Imam Abu Hanifah), Imam Malik bin Anas, Imam Muhammad bin Idris al-Shafi'i, and Imam Ahmad bin Hanbal, Allah bless their souls. To each of these goes the credit of inaugurating a School of Jurisprudence, and each advanced in various degrees the Science of Islamic Law or Shari'ah. Each served the greater cause of the Quran and the *Sunnah* according to his ability, piety, capacity and understanding. In the 3rd and 4th centuries of Hijrah, all the four Imams accomplished a task, the effect of which was never diminished. It was their eminent pupils, followed by their own pupils, who went on developing the legal thought that was ascribed to each of the four founding fathers of Islamic Jurisprudence. These pupils and their later successors, some of whom attained to personal fame, such as Imam Abu Yousuf and Imam Muhammad under Abu Hanifah, and Imam Ibn Taimiyyah (ra) centuries after Imam Ahmad and others following Imam Malik and Imam al-Shafi'i, stabilized their respective juristic pattern and comprehension of the Holy Quran and the *Sunnah* (*Ahadith* etc.) and transformed each into a definite discipline.

Needless to say, that each of the four Schools served Islam and the Ummah as best as it could in its own way. However, the separate functioning of each School did not mean division of Islam and its true votaries. All the founders strove to present a solution to a problem sincerely in the light of the Book of Allah, the *Sunnah* of the Prophet, on him be peace, and the practice of the Pious Caliphs (*Khulafu al-Rashidun*), Allah be pleased with them. Approved actions and opinions of numerous Companions were also considered while settling issues and disputes. As junior and senior contemporaries, themselves learning mutually, in our view, must have abhorred dissensions within Muslim ranks. Moreover, while issuing their judgments they seem to have had no idea of creating conflicts. To be fair to all the four distinguished Imams, their minds and hearts were clean and open. In general, each would interpret things as he understood them seeking his way through the Lighthouse of Allah *Subhanahu*. They honoured and respected one another and subsequently, if their was some kind of unhappiness in the

relations of some 'distant' followers of the respective Schools, it was, probably, because of the lack of knowledge and cooperation in an atmosphere of enlightenment.

It is a well-considered view, on the whole, that all the four Schools of Islamic Jurisprudence were simply the sub-schools of the one paramount School of Islamic Shari'ah. By dividing the community of believers or the Muslim Ummah, the narrow-minded Ulama in later times were treading the path of early separatist groups and other strayed men who got overt and covert support from unhealthy and unwarranted developments since the revolt of the two factions from Iraq and Egypt against Caliph Uthman bin 'Affan (rdh). It would be ennobling and blissful to be enlightened on the lives and contributions of all the four Sunni Imams and derive lessons from their efforts, sacrifices and extraordinary merits to be able to rebuild the broken ranks of the Muslim Ummah and consolidate its divided strength. Once it will be achieved, by God's Grace, it would not be difficult to counsel moderation to the imaginative followers of the Fiqh J'afariyyah in a spirit of realism. The need of an accord among the separated legatees of the Arabian Prophet, on him be peace, is both unavoidable and inevitable. The reason for coming together is that the future of the whole of Islamic world is at stake, and intrigues are on to reduce Muslim States and communities to non-entities and deprive them of their resources, strategic areas, independent economics, political sovereignties, their inviolable rights, and above all, of their supreme ideology, culture, and their loyalty to Muhammad, on him be peace, since recognised as the Saviour with his Message of salvation for the whole of Humanity.

Chapter Two

Imam Abu Hanifah, ra., (80-150 H)

"It is obligatory on a Muslim ruler to have consultations; right of veto seems to be a matter left to time and clime. His fundamental duties are four-fold: cultural (propagation of Islam), administrative-executive, judicial and legislative. But legislation by government is the least important of its duties. In Islam, legislation has always remained a privilege of private savants, beyond the control of the rulers with their ever changing whims and fancies and exigencies of the day-to-day politics. And as we have described above, legislation in Islam is only for secondary matters; the primary principles have already been laid down by the Quran and the Hadith." (Dr. M. Hamidullah, ra.)

Originally, said to be of Sindh (Pakistan), Zuta (a corruption of Jat), the grandfather of Nu'man bin Thabit came to Kufah from Kabul during the Caliphate of Uthman bin 'Affan (rdh). He started business in the city and eventually developed contacts with Amir al-Muminin Ali bin Abi Talib (rdh) to whom he would occasionally present gifts. Nu'man, who later became famous as Abu Hanifah, rose to be a brilliant student, with elegant personality, good habits, fineness of speech and art of conversation. As a learner and junior scholar, he had a chequered history. Much of his time before coming to his teacher, Hammad bin Sulaiman, was spent in discussions regarding juristic tangles,

and, he himself would admit later that he was a pastmaster in raising debatable points. Before undertaking his role as jurist, he was well-versed in philosophy and theological divergences of various sects. However, as the time passed, he got tired of controversies and turned over to very serious and vital studies of the Holy Quran and the Hadith, and finally, to Shari'ah Law. On the positive outcome of Abu Hanifah's first period of life Sayyid Maududi has observed:

"The beautiful use that he later made of reason and common sense in the interpretation of Law and the resolving of abstruse legal problems which won him immortal fame owed a great deal to the intellectual training which he had received earlier from these exercises of logical argumentation."

The way Abu Hanifah gave himself up to learning makes an interesting story. Kufah, despite its human weaknesses, during and after the Caliphate of Ali bin Abi Talib (rdh), had been recognised as a centre of learning because of the efforts of Abdullah bin Masud (rdh) whom Caliph Umar Faruq had spared for the guidance of the new settlement. Even Caliph Ali bin Abi Talib would pray to Allah to bless the soul of Ibn Masud because he had filled Kufah with knowledge about the Quran and the Sunnah, and there was a time when it had four thousand scholars and traditionists in it. In traversing the regions of true knowledge, Abu Hanifah adopted the method of Amir al-Muminin Ali and Ibn Masud and when asked by Caliph Mansur about the source-spring of the lessons he had obtained, Abu Hanifah, promptly answered that he had learned from the beneficiaries of Ali bin Abi Talib (rdh), Abdullah bin Masud, Abdullah bin Umar and Abdullah bin Abbas, Allah be pleased with all of them.

As he was destined to acquire supreme distinction in juridical matters, Abu Hanifah (called so because his daughter had helped him resolve a legal issue) joined Hammad and worked under him for eighteen years, and succeeded him after his death.

Hammad had proved a unique teacher for his sharp and hardworking pupil yet Abu Hanifah, found time to satiate his thirst for knowledge, and benefited from many other learned men and traditionists. He visited many centres of learning in connection with his juristic programme.

Before touching the work and contribution of Imam Abu Hanifah a reference to his generosity and profession is necessary. By nature he was munificent and hospitable, and in particular, if he found his students indigent, he would extend to them material assistance to prosecute their studies. His very dear student, Abu Yousuf, received financial help from him not only for himself but that his magnanimous teacher also undertook the responsibility of maintaining his parents as well. It is interesting to know that Abu Yousuf who ultimately succeeded to the position of Imam Abu Hanifah, continued for long to be poor until Allah got him the status of the Chief Justice of the State. Once he had to sell a girder of his house to meet his domestic need and for that he was scolded by his mother-in-law.

It is quite uncommon with true scholars and researchers commanding originality, to open side-business and that too successfully. By profession, Imam Abu Hanifah was a commercial magnate, dealing with the cloth called *khazz* (a mixture of silk and wool). It was because of his returns from a prosperous trade that he could develop a study-centre and meet its multifarious requirements and leave it as a great legacy. But more important is the nature of his transactions which were governed by perfect scrupulousness. Sellers would approach him with their goods and offer these on lower prices. He would pay them more telling them that their merchandise deserved a higher rate. His honesty in business savors of a story in that he once advised a partner or salesman to tell the prospective buyer about the defect of a particular lot of cloth. The man, while concluding the bargain, forgot to tell the purchaser the defect in the commodity. The Imam did not accept the sale-proceeds amounting to 35,000 dirhams and distributed the money as *Sadaqah* to the deserving.

Abu Hanifah made best of the time with his teacher, Hammad bin Sulaiman, and succeeded him as the chief jurisconsult, issuing *fanwas* (decrees) for thirty years. He replied 63,000 to 83,000 queries or settled issues, and his replies or solutions were compiled and classified subjectwise in volumes by his pupils and later treated as the wealth of all Muslims. Imam Abu Hanifah produced about 800 scholars, jurists and traditionists, many of whom distinguished themselves in the Judicial Services of the Caliphate. Among them, Abu Yousuf rose to be the head of Judiciary and to his credit goes the undoing of the legal chaos prevailed in the State. One unique thing about Imam Abu Hanifah was that he accorded full freedom to his learners while expressing their opinions. Ibn al-Bazzaz al-Kardari (d. 827/1424) wrote in his *Manaqib al-Imam al-A'zam*:

"His pupils debated each question to their heart's content and discussed it from every point of view. Abu Hanifah, the while, sat quietly listening to the discussion. When it was his turn to speak, there was such a hush in the house as if there was none other present."

The right to freedom of speech exercised by the younger scholars of the esteemed School enabled them to differ from their teacher, who with pleasure enjoyed consulting them while framing the legal system. Abu Hanifah's "passion to do all that he could for the sake of his religion, and his love of God, the Prophet, and the believers, did not allow him to undertake this work by himself to the disregard of his pupil colleagues."

Imam Abu Hanifah was not only generous to his students, who though inspired by his presence and eloquence, freely set forth their opinions on various issues and judicial points. Pupils got closer to him in proportion to their aptitude, their profundity of thought, their fecundity of minds, assiduity and dedication to learning. Among them Abu Yousuf, despite lack of substance, was very dear to the Imam. Recognised as the most outstanding scholar among his colleagues, Sayyid Maududi, citing various

writers including Ibn Khallikan states:

"Talhah bin Muhammad says, he was the greatest jurist of his age, and none excelled him. Dawud bin Rashid thinks that it would have been enough source of pride for Abu Hanifah if he had produced only this one disciple. Abu Hanifah himself had great respect for him. He used to say that of all his pupils the most acquisitive and adorned with learning was Abu Yousuf. Once he was ill so that little hope was left of his life. Abu Hanifah, when coming out of the house after inquiring after his health, deplored that if the youth died he (Abu Hanifah) would not leave behind him a scholar more learned than him."

The Abbaside Caliphs, Al-Mansur, Al-Mahdi and Harun al-Rashid, having striven to stabilize a legal system with someone commanding eminent position in the public, and known for his contribution to knowledge, felt the need for someone. Imam Malik, for some reason would not come round when approached. Very soon, a man of strength, character and capability belonging to the School of Imam Abu Hanifah, resolved the problem of the Judiciary. It is observed:

"With his great ability and personal influence he delivered the Caliphate from a continual state of legal chaos. The Hanafi Code was made the Law of the land which gave the whole State a uniform system of Law. This man was Abu Yousuf, the ablest of the disciples of Imam Abu Hanifah."

Much has been said about Imam Abu Hanifah's settling issues and answering queries by analogical reasoning (*qiyas*) but the wave of exaggeration in this respect has no true strength in it. On the whole it was his principle to find out solutions to legal problems and socio-religious points in the Holy Quran, then in the Sunnah (*Hadith*) of the Prophet, on him be peace, then in the practices of the Righteous Caliphs and the Companions,

and, in case of disagreement between the last-mentioned group, follow those whose opinion or action was within the spirit of the Quran and the Sunnah. According to Al-Khatib Baghdadi, he would also consider the opinion of the *Tabi'in* in certain matters. Ibn Hazm holds the view that the Imam would even give up deciding an issue or replying a query by analogy if and when he obtained a 'weak' *Hadith* (that did not satisfy a technical rule). It was only when things would become impossible that Imam Abu Hanifah would at the end exercise his privilege of *Ijtihad*. Caliph Mansur once complained to the Imam that he was going by his discretion against the tradition of the Prophet, on him be peace. The Imam answered:

"O Commander of the Faithful! what you have heard is incorrect. I go first by the Book of Allah, then by the Sunnah of His Prophet, then the decisions of Caliph Abu Bakr, Umar, Uthman and Ali, and then the decisions of other Companions; but, when I find disagreement among them, I resort to discretion."

In relevance to this answer of Imam Abu Hanifah to the Caliph's objection, we may have recourse to Dr. Muhammad Hamidullah's scholarly essay on Islamic Jurisprudence wherein he points to the inability of men in the street "to understand the underlying principles of each and every Quranic order or injunction which is the domain of specialists of the philosophy of Law." Imam Abu Hanifah was by common error blamed for his 'free judgement' allegedly regarded detrimental in certain cases to the supreme source of Islamic Law. Dr. Hamidullah (ra) writes:

"An anecdote will explain the point. Abu Hanifah, had had a penetrating mind, and was also endowed with a sense of humour. Not always being able to understand the reasons that led this great jurist to hold certain opinions, stupid people began to accuse him of heresy; according to them, he legislated by

his personal opinion in disregard of the sayings or practice of the Holy Prophet, on him be peace. Once somebody had the audacity to tell this to his face. Abu Hanifah replied: "I never promulgate rules on my personal opinion; on the other hand, I always deduce laws from the sacred texts of the Quran and the Hadith. Had I relied on my personal reasoning, I would have ordered that in the act of ablutions, one should pass a wet hand not on the uppers of a shoe (*Khuff*) — as is ordered by the Prophet — but on the sole, for that is the part which requires cleansing more than any other part of the footwear." In this humorous way, Abu Hanifah succeeded in silencing and in calming the apprehensions of his well-meaning critic. The answer was humorous, because Abu Hanifah did not refer to the reasons for not washing the soles of one's shoes for if the sole of the footwear is moistened and then one stands up for the service of worship, it is the more apt to get dirty if one prays on the ground, and to soil the carpet if one prays on one. ..."

"In any case, Abu Hanifah employed to the utmost his power of reasoning and judgement to find out whose opinion seemed best to approximate to the Sunnah."

Imam Abu Hanifah's juristic work and his contribution to the Legal Code of Islam, was in the main based on the supreme source of Law, — the Quran and the Sunnah of the Prophet over which he commanded full hold. Imam Abu Yousuf stated that his teacher had had a deeper understanding of a *Hadith*, going into its underlying intention. Therefore he could make an efficacious use of its content so that his juristic acumen made his School very popular. The Imam has been recognised as a *Muhaddith* too. Some of his own pupils and his son, Hammad, recorded the traditions narrated by him and these were

reproduced in the form of *Musanid* such as *Musnad Abu Hanifah* and *Musnad al-Imam al-A'zam*. Because the Imam did not establish his Hadith-relating circles, the significance of his work as a *Muhaddith* was overlooked by the future generations. Eminent traditionists like Israel, Yehya bin Saeed al-Qattan and Waki' admired Abu Hanifah's use of Hadith, and the last one issued decrees in accordance with his jurisprudence.

Imam Abu Hanifah would always exert his nerve and spend his precious hours in safeguarding the unity of Islam and Muslims and the solidarity of the Faith by undoing every attempt of the disruptionists at digging the foundations of the superb system. He fought the Mu'tazilah and other sectarians by his forceful argument based on his vast information. In silencing the inimical factors he wrote "against his wont, with his own pen, drawing up in brief and eloquent words the creed and doctrine of the *Ahl al Sunna wa la-Jama'ah*." No doubt, in discussing juridical issues, the Imam permitted full freedom, yet he would avoid answering questions about issues that had taken birth during and after the revolt against the third Right-Guided Caliph, Uthman ibn 'Affan (rdh). He sincerely believed that all the four Caliphs after the Prophet of Justice, on him be peace, were rightly-guided and equal though their virtual superiority was determined by the order of succession. Delicate topics involving the mutual relations of the Caliphs or the Companions, the Hashmites and the Umayyids and some descendants of early rulers, he would not entertain. Though he was personally in favour of Caliph Ali bin Abi Talib (rdh), he would not indulge in expressing views about his adversaries because they too were the Companions and all of whom under the Prophetic instruction were to be respected. Nevertheless, Imam Abu Hanifah justified a revolt against an oppressive and unaccountable ruler and his replacement by a just and virtuous and capable person. But he would not favour resistance against a rule that would "fizzle out in mere loss of lives and power."

Considering Imam Abu Hanifah's overall role, his great qualities of head and heart and his virtues, his upholding liberty

of thought, he was certainly the Wonder of the Age and of Islam on the whole. No power on earth could lure him or cow him, no offer of an estate, an office or reward could move or attract him. Throughout, in his afflictions under State tyranny, he refused to surrender, but on the other hand, observed patience and never abandoned his quality of fortitude. The reputed learned divine, Abdullah ibn Mubarak, would state on occasions: "I have yet to see a more pious man than Abu Hanifah. What would you say about the man to whom they offered the world and its wealth and he kicked it away, who was flogged and remained steadfast, and who never accepted those posts and honours which people hanker after." Imam Abu Yousuf would at times remark while talking about his teacher's virtues: "The Imam always kept away from Haram (the Prohibited), from mundance gatherings and frequently observed silence. He used to meditate and avoid idle talk."

Quoting the famous legist, Yehya bin Adam (d. 203/818), Sayyid Maududi (d. 1979) writes "that the opinions of other jurists paled into insignificance before those of Abu Hanifah; his ideas spread everywhere; the judges, rulers and officers of every place decided their cases in accordance with his law; in short, everything went according to it." Thus within half a century of the demise of the Imam, his system of interpretation of Islamic Law had become so stable and common within the dominions of Islam that it was impossible to replace it. When someone suggested to Fahl bin Sahl, the Prime Minister during Mamun's Caliphate (198-218/813-33) that he should change the legal code, he sent out a circular inviting public opinion. He was told that the one who had counselled the alteration of the system was a fool. Fahl respected the public will. Observes Sayyid Maududi in respect of the strength of the Juristic pattern of the Hanafite School:

"Thus came about this historical reality that a system of Law devised by a private legislative council became the Law of the countries and empires on the strength of its merits and the moral

prestige of those who framed it. It had also another important consequence in that it opened up for Muslim thinkers new lines for the codification of Islamic Law. The chief legal systems devised later may have differed from it in their methods of deduction and in their results, but they were all inspired by and based on this (Hanafi) model."

The cause of Imam Abu Hanifah's death may be traced to the revolt headed by the Sadat of Madinah al-Munawwarah under Muhammad Nafs al-Zakiyyah and Ibrahim (ra). Even in the later period of the Umavis, they were thinking of taking over and they had the privilege of holding the office against all characterless and tyrannical rulers whoever they were. In 132 H the tables of the Umavis were turned over and Abul Abbas al-Saffah founded the rule of the Abbasides. He died after a short reign of four years and was succeeded by his brother, Al-Mansur. The Umavis were annihilated and then followed the massacre of the Sadat when they challenged the claims of Al-Safah and Al-Mansur. Nafs al-Zakiyyah organised a large force, fought bravely and became a martyr. Then Ibrahim took up the thread and fought but as he lacked military strategy, he died fighting against the ruthless army of Caliph Mansur.

The revolt of the Sadat was supported by the Ulama of Madinah the Radiant, Kufah and Busrah and the claim of Muhammad Nafs al-Zakiyyah and Ibrahim (ra) was accordingly upheld. Even Imam Malik (ra) issued a *fatwa* that Mansur had received *bai'ah* (oath of loyalty) by coercion and that the Caliphate was the right of Nafs al-Zakiyyah in the first instance. Abu Hanifah, by his very mode of thinking could not but stand by the side of the Sadat in their rebellion against the rulers. He knew it well that both Al-Saffah and Al-Mansur had captured the 'throne' by acts of violence and their action bordered on illegality. Therefore the Imam favoured the 'right claimants' and even gave them material assistance but did not join the field for reasons of Shari'ah (that is probably the services thereof). Caliph Mansur was full of wrath after suppressing the revolt

and he knew that the Ulama were behind the rebellious forces. But he lacked courage in dealing with them strictly, and tried to win them by offers, assignments and allowances. It was beyond his ken to subdue the spirits of Imam Abu Hanifah, who, after the Umavi downfall had left Makkah and resettled in Kufah.

Mansur decided to induce the Imam with favours and offered him the position of the Chief Justice but he refused on grounds of his 'inability.' The Caliph accused him of lying and that gave him another reason for rejecting the offer. That the Imam should have turned down the Caliph's proposal in the open Court was unbearable for the latter. As he was threatened with a mortifying punishment, the Imam under compulsion took his seat in the Judiciary. Curiously, there came up a strange case of a debtor and creditor. He could not decide it to his satisfaction. He came back from the office and frankly told the Caliph that he could not function as a Judge. Mansur imprisoned him for an indefinite period with no hope of release. During his detention the Caliph would call him to his residence and occasionally discuss with him various issues.

Putting Imam Abdu Hanifah behind the bars did not resolve Mansur's problem. He felt the danger more to his power because the detenu was not a person who could be forgotten by the outside world. The effects of his juristic contribution and services to Islamic Shari'ah had reached far and wide and his School of Jurisprudence had become very popular with the great majority of the believers. It is probable that Caliph Mansur was aware of the fact that the Imam's continued internment would have serious repercussions, particularly as the situation had already been turbid because of the massacre of the Sadat, many of them innocent and others rightful. As a matter of fact, the Caliph could in no circumstance act in a way that would be detrimental or disrespectful towards Imam Abu Hanifah's outstanding position and personal prestige. He thought if the Imam were kept within prison for long, it would only lead to public resentment hence the impending insecurity of his throne. Accordingly, someone working for the merciless Mansur,

undertook to poison Abu Hanifah, who, when he felt the effect of the venom, prostrated (in the posture of *Sajdah*), and expired in that condition and left this transitory and treacherous world.

It is said that the whole of Baghdad came out on hearing about the sad and sudden demise of the great Imam and reached the place where he lay in state. Hasan ibn 'Ammarah, the Qadhi of the city, washed the blessed body and repeated these words while in process: "By Allah, you were the greatest jurist, adorer (of the Lord), pious, and that all excellences were combined in you; your successors have not reached the status you held in life." Abu Hanifah had willed that he should be buried in Khaizran Cemetery, thinking that its land was not a misappropriated area. For twenty days, large numbers of people came to the Cemetery and offered funeral prayers. The tomb of Imam Abu Hanifah, throughout the centuries, continued to be frequented by thousands of devotees. Sultan Alam Arsalan Saljuqi visited it in 459 H and built a dome on it and attached a Madrasah to it which became famous eventually not only because of the scholars it produced but also for architectural beauty of the building. It was constructed under the supervision of Abu Saeed Sharf al-Mulk, and on the occasion of its founding it was attended by eminent Ulama and public men, and a poet of consequence, Ab J'afar Masud, was present on the auspicious moment: He recited:

"Don't you see, how knowledge was humiliated, and the man who gave it a form, is buried in this grave. Likewise, this area of land was lifeless, and the endeavours of Abu Saeed infused life into it (by building the School)."

The Madrasah, known as *Mashhad Abu Hanifah*, came to have an inn for travellers and visitors to stay therein. Rulers and Sultans, from time to time paid their homage at the Imam's tomb, and even Sultan Nasir al-Din Qachar of Iran offered *Fatihah* here and made offerings (for the School and the poor).

Thus passed away a most dynamic legist and jurisconsult of the world of Islam. By virtue of his lasting contribution to Islamic Law (the Shari'ah) and the Legal Code, by preparing an army of scholars, jurists and judges for the Caliphate, Imam Abu Hanifah deserved from the State a truly civilised treatment commensurate with his status in a society that was to live by virtue of his efforts according to the ideals and legacies of the Arabian Prophet, on him be peace, and his immediate Caliphs. The followers of a pristine Faith will always denounce the misguided rulers and their inhuman tools for their excesses against the builders of a perfect Community of Islam that was destined to act as a true model for the rest of Mankind. The prey of Mansur's highhandedness in the present case was Imam Abu Hanifah (ra) — a man known for his great qualities — physical charm, sweet and eloquent tongue, finer traits, and a wearer of impressive garments, and above all, his intellectual capability and versatility.

His selflessness was a distinct characteristic of his life. He could never be carried away by flattery or favours, and did not accept rewards and official positions. One who would tell things to one's face especially that of a tyrant or an autocrat was sure to displease all concerned. Which aspect of his illustrious career was not worthy of emulation? He was truthful in word and deed, a scholar and jurist of integrity, honest in business transactions, unique in generosity, enlightened in attitude towards the pupils and learners, remitting loans in favour of debtors, paying off the balances of the helpless borrowers, more forbearing in addition to his fortitude, tolerant at other's anger, sympathetic to the neighbours, patient when in difficulty or in sickness, free from the disease of backbiting, obedient to his parent (mother), frequently meditating, and regular at the obligatory prayers, tender-hearted and sensitive. What more can one say about a 'superman' who hardly may have suffered from any imperfection. He was a superb model of a genius-jurist and a cooperative teacher whose every merit must needs be followed by all those men of foresight who wish that the Muslim Ummah should, as it is destined, to deliver goods to the bewildered

Humanity. Allah alone knows the punishments that He might impose on Al-Mansur and his ilk for afflictions to which the eminent servants of Islam and the Ummah were subjected to. "Allah well-pleased with them (the servants) and they with Him," is a decisive and distinct announcement of the Holy Quran (V:122).

Chapter Three

Imam Malik bin Anas, ra., (93-179 H)

"Once Harun al-Rashid came to attend the lessons in Imam Malik's majlis. He had to be seated a little below the Imam's place (masnad). On the other hand, when Imam Abu Hanifah visited him, he was duly honoured so much so that Imam Malik spread his own mantle on which he was made to sit. When Abu Hanifah rose to leave, the Imam informed his pupils that he was Abu Hanifah of Iraq, who, if he wished to prove this pillar to be of gold, he can prove it to that effect." (A'immah Arba'ah)

Imam Malik bin Anas (ra) was younger to Imam Abu Hanifah (ra) by thirteen years, and he passed away twenty nine years after him. With beautiful features and attractive countenance, tall in stature and with broad eyes, he had the honour of being brought up and educated at the Prophet's City, which, together with the Haram Mosque and the Mausoleum of the Apostle of Allah, on him be peace, was very dear to him. He held every yard of Madinah al-Munawwarah in high esteem. In this regard, his habits and routine life have surprised many an observer, —both the contemporaries and the posterity. He would not wash his organs within the blessed locality out of reverence and shyness. To pass his stools he would go outside the Haram area, and later, in spite of his feebleness he would not use a conveyance within the sacred limits for the reason that there

rested the blessed body of the Prophet of Mercy, on him be peace.

Likewise, Imam Malik, while in the *majlis* (classes or gatherings) of the Holy Quran and Hadith, teaching, answering queries and issuing decrees on juridical matters, would observe all the rules of an unblemished conduct and attitude. Before joining the classes of the learners, he would have a wash or perform ablutions, dress himself well, apply scent to self and garment and comb his blessed beard. When asked why did he exert so much before going to teach, he would reply, "I honour the *Hadith* of the Messenger of Allah, on him be peace." An instance of his personal culture may be noted. Once Ibn Hazm (the Imam's own student) was holding a *majlis* of Hadith and the Imam passed by but left because there was no scope to sit. When asked why he did not continue, he replied, "listening to *Hadith* of the Prophet in a standing posture is improper."

As he grew into boyhood, Malik bin Anas (ra) became interested in learning and gathering *Ahadith*, statements and solutions of the issues found in the Sunnah records. Much of these had been preserved in the documents or the memories of the Companions from whom the *Tabi'in* and other beneficiaries got their fund of knowledge. Malik bin Anas had resolved to make best of the treasure-house of information but he lacked resources in material sense. That is, he was poor though he was determined to achieve the sublime goal. Allah hath His ways and will to enable him to proceed on with the noble mission which he was destined to accomplish. Imam Malik plunged into his studies and steadily realised the noble objective. He came to own a storehouse of *Ahadith* which he collected from 900 worthy people of whom 300 were the *Tabi'in* and the rest *Taba' Tabi'in*. Among his pupils were Abdullah ibn Mubarak, Al-Shafi'i and others who themselves earned fame as traditionists, Jurists and Imams, and their own pupils included Imam Bukhari, Imam Muslim, Abu Dawud, Imam Ahmad and Yehya bin Mu'in, who in turn came out to be the great traditionists and men of thought.

Imam Malik's standing in the Science of Hadith may be determined by the fact that his teacher, Imam Zuhri also benefited from the work of his student. The Imam (Malik) combined in himself the positions of a trustworthy *Muhaddith* and a *Mujtahid*. In deciding and settling cases, he would first have recourse to the Quran and then to the Sunnah, that is after the Quran, he attached importance to the example of the Apostle of Allah, on him be peace, preferring it to all other instances emanating from the Companions. This should not mean that he would not decide issues if a solution was not provided in the Quran and the Sunnah. Surely, he must have had considered opinions of the Companions on issues and also acted according to his judgment.

Imam Malik's greatest contribution was his famous Hadith Compendium called *Muwatta*, which became popular right from the years of its compilation (130-40 H), and the scholars and jurists belonging to his School as well as others benefited from this timely collection. Malik's *Muwatta* comprises 1700 narrations (*Ahadith*) of which 600 are termed *marfu'*, 200 *mursal*, and, 600 are *mauquf*. The statements of the *Tabi'in* count 285. A thousand learners are said to have listened to *Muwatta* under Imam Malik himself. It was arranged according to juristic subjects and regarded the first systematic volume on the Hadith aspect of the Sunnah. The original idea of preparing it was attributed to Caliph Mansur (d. 158 H) who asked the Imam to compile an *authentic* collection of the Prophet's Sayings, advising him further that "there should be no leniency in it of Abdullah bin Abbas nor the rigidity of Abdullah ibn Umar (rdh)" The Caliph wished it to be simple, fine and flawless to be followed by the people with no difficulty. As Mansur had suggested to Imam Malik the method of compilation, he called it *Muwatta*.

On its completion, Caliph Mansur wished copies of *Muwatta* to be distributed throughout the Caliphate and even officially prescribe it so that it could be consulted for settling public affairs and issues. The Imam did not agree to make it

compulsory in that manner. Broadminded as the Imam was, he told the Caliph that in the pious past (the age of *Salf-al-Salihin*), Hadith knowledge had spread in all regions and the believers were acting upon it. Caliph Harun al-Rashid also desired that *Muwatta Malik* be pleased on the walls of the K'abah al-Mushrifah and the people be induced to follow it. The Imam told him that there had been disagreement among the Companions in branches (*furu'*). The practices approved by each were in vogue everywhere. In other words, he wanted to say that each Muslim followed in the footsteps of a particular Companion (who had a Hadith with him) and found salvation. It was a sound advice that the Imam conveyed to the Caliph, thereby removing his confusion about a legal code to be adopted. The Imam meant that his *Muwatta* could not be imposed as a final collection of *Ahadith* because not only there existed much of these but also he might have, it is probable, imagined that in future other dedicated men might accomplish a greater task in respect of Hadith collection. And as the people witnessed eventually, very hard working and dedicated *Muhaddithin* emerged under the firmament who left very rich legacies in the domain of the Sunnah.

Appreciably, Imam Malik (ra) seems to have abhorred any kind of dissensions within the Muslim Ummah by virtue of his wider vision and foresight. He must have been disappointed with the tragic events of the decades immediately preceding his birth. He rejected the theological views of the Mu'tazilah about the Attributes of God. For instance, he countered their audacious argument by stating his view which is: "God's settling Himself upon His Throne is known; the how and why of it is unknown; belief in it is obligatory; and, questioning about it is an innovation." Similarly, as has been stated, Imam Malik did not approve of anything that would affect adversely the solidarity of the Islamic State and the Community of the Faithful. His general attitude revealed that he would not like to disturb the functioning of an efficacious legal system even though some of the Abbasides might have on occasions desired to settle issues according to Maliki pattern of Jurisprudence. Thus a bright chance was provided for the Hanafi School of which the legal

code was accepted throughout the Caliphate. Imam Abu Yusuf's intellectual and legal works had taken hold of the people's minds even before he came to assume control of the judiciary. The other reason of the popularity of the School of Abu Hanifah was that Imam Malik's *Muwatta* was not "sufficiently comprehensive and elaborately classified to meet the needs of the Government."

Imam Malik's conception of knowledge in terms of the teachings of the Quran and its elucidations by the Prophet on him be peace, was very high. He used to say: "Knowledge is not in relating too many of Hadith. It is a radiant light which Allah *Subhanahu* puts in someone's heart." And acquiring Knowledge by admirable methods was according to Imam Malik an ideal mission or duty. Once Caliph Harun requested him to send a tutor who would teach *Muwatta* to his children. The eminent Imam replied to him in clear terms: "Knowledge was poured out from your household. If you honour it, it will be held in esteem. If you do not do so, it will not be respected. You know that knowledge is sought about, it does not itself go to the seekers." The Caliph had to agree to what the Imam stated.

Imam Malik Flogged.

Al-Mansur succeeded his brother Al-Saffah actually in 138 H, two years after the revolt of Abu Muslim Khurasani was suppressed. In 139 H he ordered construction of the Caliphal capital at Baghdad because he got tired of the Kufan people. Curiously, the construction of the city was carried under the supervision of Imam Abu Hanifah. Then Mansur came for Hajj and at Madinah the Radiant, some of the Ulama met him and these included Sufyan Thauri, Imam Malik and Sulaiman Khawas (ra). Before the rise of the Abbasides, Mansur used to join the Hadith majlis of Imam Malik hence he respected him. In presence of an assembly of eminent men the Caliph asked Imam Malik to meet the need for a uniform legal code. He said with a stress on the point he wanted to make:

"O Abu Abdullah!

"I have been confounded by the juristic differences among Muslims, as I see them. There is nothing worthwhile in Iraq in this respect (that is there is no unanimity). In Syria, there is no great knowledge (to bring believers together). If there exists anything (by way of juristic legacy) it is in the Hijaz. And, in the Hijaz (Makkah and Madinah), you are the leading light. I wish to keep the *Muwatta* in the Haram (K'abah). The people should have recourse to it and copies of the volume be prepared and sent to various regions of the Caliphate so that *fatawa* (decrees) are issued according to it."

To this urgent appeal, Abu Abdullah (Imam Malik) gave a fitting answer as has been mentioned elsewhere. He did not approve of or agree with the Caliph's proposal. There is no doubt that Mansur held Imam Malik, Sufyan Thauri and a few other Ulama in esteem and to honour them was their desert (the Caliph might have had a political motive as well in treating them with reverence). The respect shown to Imam Malik was despite his having issued a *fatwa* in favour of Muhammad Nafs al-Zakiyyah (ra) whom he considered the right claimant to the office of the Caliph. In the decree he had maintained that Mansur had received the *bai'ah* through coercive methods and hence his assumption was illegal like a compulsive divorce.

The said *fatwa* gave reason to J'afar, the cousin of Mansur, who had appointed him governor of Madinah, to issue a directive to Imam Malik that he should stop issuing *Fatawa* against coercive divorce (even though it was invalid). The Imam refused to abide by the order and continued issuing decrees against divorce by force. J'afar ordered that the Imam be given 70 whips. He was brought into the governorate as if a sinner, stripped of his garments, and the inhuman wretches struck the blessed body with the number of lashes so that the whole of his back began bleeding profusely. This much did not satisfy the tyrants of the day. He was paraded through the lanes and suqs

of the Holy City. The truth-loving Imam, over 60 years old at the time would utter these words from his mount: "One who knows me well, he does so, but who knows me not, let him know that I am Malik bin Anas. I issue *fatawa* to the effect that a compulsive divorce is not valid." Having met the cruel treatment, the Imam went into the Prophet's Mosque after cleaning his blood and offered two supererogatory *rak'ats* of prayer and told the people that Saeed bin Musayyib, too, had been flogged and after that he had offered prayers in the Mosque.

Next year, Caliph Mansur came for Hajj (158 H) after having dealt with the rebels. The Imam, who had already received a letter of excuse from him, went to meet him and was assured that he (the Caliph) had never issued an order for punishment. He told the Imam in presence of some of the public men and Ulama:

"O Abu Abdullah! you will be the shelter of the residents of Al-Haramain (Makkah and Madinah) till the end of your life. The afflictions they should undergo, will not be imposed on them because of you. I know, the people of the two Holy Cities (*not all of them necessarily*) are given to sedition. And then, they have no strength to fight with constancy. As for J'afar (the enemy of Allah), I have (besides dismissing him from governorship), ordered that he should be brought to Baghdad on a donkey in a humiliating condition."

Al-Mansur, in accordance with his above address, though knowing that the Imam was a supporter of the Sadat, deputed him to them (in prison) as his ambassador with a message, probably, of reconciliation. The Caliph also knew that the Ulama of the Hijaz were not happy with him. He called some of them along with Imam Malik, Ibn Sam'an and Ibn Abi Z'eb. The Imam, before leaving had a full wash and applied *hanut* to his garments (as is done to the dead at the funerary) and reached the Caliphal Court. Mansur complained: "I received a news

which I regret. It was your duty to obey me, refrain from talking evil of me, and were I at a fault, you could have advised me (to check it)." Imam Malik in reply recited verse 6 of Surah *Al-Hujurat* which reads:

"O you who believe: if any iniquitous person comes to you with a (slandering) tale, use your discernment, lest you hurt people unwittingly and afterwards be filled with remorse of what you have done."

The Caliph then asked how they (the Ulama) took him to be. The Imam replied that he should be excused from answering the query. Ibn Abi Sam'am exceeded in praising the Caliph at his face so that it sounded flattery. But Ibn Z'eb returned a 'harsh' reply when questioned. He said bluntly: "You are the worst creature. The wealth of Muslims you misappropriate and use to maintain your splendour and dignity. You murder poor people and have perplexed the rich families." At this Mansur pointed to him the sword and asked what it was. Ibn Abi Z'eb replied: "Yes! this is the scimitar. What then? Today's death is better than the death of tomorrow." Shortly after, Ibn Abi Sam'an and Ibn Abi Z'eb left and the Imam continued for some time, sitting close to the Caliph, who asked him that he smelt *hanut* in his clothes. The Imam answered that the Caliphal summons were received by him at an unearthly time and that he had given up hope of life. Mansur rejoined: "*Subhanallah!* O Abu Abdullah! is it possible that I would demolish the pillar of Islam with my own hands?"

The Demise of the Imam

With the advancing age, Imam Malik (ra) grew physically weak, so that he had to suspend going into the Prophet's Mosque for prayers and preaching. The people complained to him about his isolation, he replied, "everyone could not explain his excuse." But at home the Hadith-majlis, teaching and issuing of decrees continued. With the intensity of sickness increasing, the people around opined that the Imam would not survive. M'an bin Eisa,

a former student, very dear to him, served and assisted the Imam up to the end. As his bodily temperature fell, tears gushed down from the Imam's eyes as he thought of the Hereafter. Yehya bin Yehya al-Andalusi, who had come from Egypt to receive the title (*Sanad*), witnessed those who had served the departing Imam, his former pupils, the Ulama of Hadith and Fiqh, numbering 160, one and all, weeping. The Imam replied to the question of T'anabi, an intimate pupil, why he wept: He replied "If I do not weep, who will weep then? Would that in place of each fatwa I issued by analogy, I should have received a whip." His eyes were still tearful when he passed away.

Imam Malik (ra) was 86 at the time of his death. He was laid to rest in the historic and sacred cemetery of Al-Baqi' in Madinah the Radiant, close to the Prophet's Mosque and Mausoleum. 'Umar bin S'ad al-Ansari stated that someone (in a dream) heard these verses being recited on the sad occasion: "The pillars of Islam were shaken in the morning when the leader was laid to rest in the grave. He was always the Imam of Righteousness and Knowledge. Peace of Allah be on him until the Day of Resurrection."

The death of Imam Malik was mourned throughout the realms of Islam. When Sufyan bin Uyaynah was informed in Kufah about it, he remarked: "Malik has not left on earth's surface a parallel of his own." Abu J'afar Qari Baghdadi (d. 500 H) composed an elegy 322 years after Malik's expiry in which he spoke highly of *Muwatta* and his having been the teacher of Imam al-Shafi'i. Two verses of the elegy are:

"That Imam, who, by his *Muwatta*, upheld the Prophet's Shari-ah, because he feared that injustice might be committed against it some quarter.

"Were he to have no pupil other than Ibn Idris (al-Shafi'i), it would have been enough for him. Good fortune is also sustenance!"

Imam Malik, an Estimate

Writers hold a unanimous view that Imam Malik bin Anas (ra) possessed rare qualities required in a true traditionalist, scholar and jurist. Yet he kept a low-profile of himself. He was a regular and frequent adorer of Allah *Subhanahu*, and one who always used to have the Holy Quran by his side for study, remembrance and contemplation. On the night preceding every Friday he would meditate, and on the first of every month he would pass a vigil. Almost all his actions and movements demonstrated utmost respect for the Apostle of Allah, on him be peace, and, when he uttered his blessed name, his face would change its hue. He would not ride on an animal within the holy area because he disliked the very idea that his conveyance should trample the sacred soil on which the Prophet used to move and walk. His genuine love for the Apostle and his preoccupation with the teaching and gathering of *Ahadiith* and serving Islamic Law was rewarded with the blessings of seeing him in dreams.

Imam Malik's attachment to Madinah al-Munawwarah was very deep because of its history with regard to the rise of Islam, and consolidation of Muslim Power, the existence of the Mosque and Mausoleum of the Prophet of Mercy, on him be peace. Every inch of the city area and each moment of sacred and glorious past refreshed his memory and life in the vicinity of the Master, on him be peace. Once Caliph Al-Mahdi sent him 3,000 dinars and requested that he should shift to and settle in Baghdad. The Imam refused to leave the Holy City and sent him a message saying that the could have his dinars back but he himself would not give up the place. Whenever Imam Malik went to Makkah for pilgrimage, he used to return in the shortest possible time. It was very hard for him to bear separation from Madinah. His reverence for it would increase as he remembered how the then 'Yathrib' had welcome the Prophet and how the Makkani Quraish had forced him and the Muslims to emigrate northward. And one more reason for his emotional attachment was owing to the fact that his residence was formerly the residence of Abdullah ibn Masud (rdh), and he held his *Hadith-majalis* (classes) in the house previously belonging to Umar

Farooq the Great (rdh).

In generosity, the Imam did not lag behind any of his contemporaries. It is said that Rabi' paid 32,000 dinars for his studies. Imam Abu Hanifah would entrust bags of cash with his pupils some of whom were maintained and paid financial assistance by him. Imam Laith of Egypt spent large amounts on scholars. As for Imam Malik, on one occasion he went into his stable with al-Shafi'i who liked some of the species of horse. The Imam gifted the whole stable to his esteemed pupil. His hospitality at the time had no parallel instance. The way he entertained al-Shafi'i whenever he came to Madinah to receive lessons from the Imam. From water for ablutions to the sumptuous meals, he would bring everything for al-Shafi'i during his stay. And when he would prepare for return home, conveyance for him was arranged and travel money given him for a comfortable journey.

In patience and tolerance, Imam Malik also set a record of examples to be followed. One day, he was addressing a majlis of *Hadith* when he was bitten in the foot by a scorpion that had gone into his socks. He received the bites of the poisonous insect repeatedly and as he spoke to the audience his facial colour changed. Abdullah ibn Mubarak who was present on the occasion inquired about the trouble and reason for perturbation. The Imam simply replied that he was being bitten by a scorpion. Once a poet, Ibn Sirkhun, came to the Imam saying that he had mentioned him in his verses and that he wanted to recite the couplet which read, "Ask the Mufti of Madinah whether love was a sin?" The Imam who had thought that the poet had composed a satire, said that he had not issued such a *fatwa*. That speaks of the element of humour in the traditionalist-cum-jurist. At one time, Caliph Mansur began speaking loudly within the premises of the Prophet's Mosque. The Imam silenced him by reciting the verse, *La tarfa'u aswatakum fawqa sauti al-nabi..... (al-Hujurat)*.

It was usual with Imam Malik (ra) to maintain self-pride

despite his quality of self-abnegation. He took care that this privilege or trait of Islamic scholars, jurists and *Muhaddithin* should be guarded in every way. The idea was to enhance prestige and interests in scholarship and respect for the teachers. His mode of teaching in the class or *majlis* was symbolic of his particular resolve. Whoever came there sat in awe of the great teacher and no one could cross the limits of educational culture. With regard to imparting knowledge his reply to Harun al-Rashid is known, and he with his sons had to present himself for listening to *Muwatta*.

The *majlis* of lessons conducted by Imam Malik, accordingly, presented a view of scholastic grandeur. Both the teacher and the taught would dress themselves impeccably and set an example in cleanliness. A standard decorum was maintained and silence prevailed while the study was on so much so that the learners would turn over leaves without producing sound. It would appear that they were in front of a royal personage. The atmosphere of the room was filled with fragrance. Why it should not have been so? The building was the one in which Umar bin al-Khattab (rdh) had been residing and the adour and awe of his greatness seemed to have continued for a century. The panorama of a most attentive *majlis* was further magnified by the arrival and stay of visitors, officials of the State and seekers of *fatawa* and distinguished scholars to meet the juristic boss.

Again, persons going to Caliph Mansur's Court would, on approaching him, kiss his hands. The Imam did not go below his dignity and against the Sunnah of his Prophet, on him be peace. With these qualities one could not be considered great without love of justice and a sense of realism. When he thought he could not do justice to a query, issue or question, he would simply say, "I know naught about it," thereby surprising the inquirer. This would sometimes shock the questioner and shock the people around.

Finally, Imam Malik (ra), would forget his own standing

in the society when some distinguished person would come to see him. He would show utmost respect to other scholars, jurists, traditionists and even his students such as al-Shafi'i, and the degree of honour he accorded used to be according to their individual status. Imam Abu Hanifah came to him once and the honoured him more than a Ruler deserved. Then came Sufyan bin Uyaynah and he was respected accordingly. With regard to his addressees, in his messages he would give them their due place. Thus, whenever he wrote to Abd al-Rahman bin Qasim, he would call him *Faqih Misr*. His other pupil, T'abani, a traditionist, was to arrive in Madinah, the Imam went out to receive him along with his students.

Chapter Four

Imam Muhammad bin Idris al-Shafi'i, ra., (150-204 H)

"Imam Rabi' bin Sulaiman stated that after the burial of Imam al-Shafi'i, they assembled in his majlis-room and a beduin came in and asked, 'where did the sun and moon of this majlis hide itself?' On being informed that the Imam had expired, the beduin wept bitterly, and said: 'Allah have mercy on him and forgive him. When he spoke he seemed to pour out pearls (from his mouth). He would adduce arguments in such a way that others would submit. He would remove the signs of shame from the modest faces and fill radiant light into the dark recesses of hearts. Alas! today that sun of knowledge and wisdom has gone down.' Rabi' added, then the man left the place and he was weeping."

Imam al-Shafi'i (Muhammad bin Idris, ra.) was born at 'Azzah in Rajah, 150 H., the year of the demise of Imam Abu Hanifah, ra.. Balanced in physique, with bright facial features, long nose with the signs of measles on it, attractive in appearance, sweet in speech, charming and smiling countenance and long hands, he was brought up in the pious atmosphere of Makkah al-Makarramah. Therefore he came to have the distinction of commanding great moral heights. Orphanage (his father had

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Imam Muhammad bin Idris al-Shafi'i, ra., (150-204 H)

passed away earlier) and extreme poverty prevented him from joining regular readings in the Holy Quran and lessons in the Sunnah of the Prophet, on him be peace. His noble and farsighted mother sent him to his uncle in the Holy City just to pick up the knowledge of *Ansab* (Arab genealogy) in the first instance.

Muhammad showed his merit at a very early age. When only seven, he committed the Book of Allah to memory. At ten he completed memorising Imam Malik's *Muwatta*. For three years, he received education in Hadith etc. from Muslim bin Khalid, the Mufti of Makkah, who, during this period was impressed by the intelligence, diligence and sharpness of the hapless learner. The Mufti desired him to proceed to Madinah to radiant and study under the guidance of Imam Malik (ra), whose reputation by that time had reached its zenith. As Muhammad had no money, he was advised to meet Mus'ab bin Umair who was good enough to recommend him to an intimate friend whom he received an amount of a hundred dinars to meet the expenses of travel and initial stay at the Prophet's City.

In a few days Muhammad bin Idris found himself at the door of Imam Malik's residence. With great reverence he explained to the esteemed Imam the purpose of his coming and handed over to him a message from Muslim bin Khalid. The Imam saw it but was displeased saying, "Glory be to God! has the knowledge of the Messenger of Allah come to such a pass that it should be obtained now through recommendatory letters?" Al-Shafi'i (known as such because one of his ancestors had that name), with all respect related his pathetic tale so eloquently that the wrath of the judicious-minded Imam subsided. He inquired about his name, and after having a full look on the aspirant young visitor, he is reported to have said: "Continue fearing Allah (ye boy); very soon your status will be enhanced. *Inshallah*." For three years, al-Shafi'i went on studying and drawing immense benefit from the wealth of information gathered, preserved and disseminated by the eminent Imam. His majlis of Hadith Fiqh used to be most disciplined; silence prevailed and none could make an undesirable gesture or movement so much

so when turning over their pages the learners took care not to disturb the tranquil atmosphere. Great respect was shown to the teacher. When al-Shafi'i was asked to read what he could from *Muwatta*, he recited portions by rote (orally) having already saved the narrations in his memory. Pleased with the boy, the revered Imam advised him "to make piety your habit: time will come when Allah will confer greatness on you." At some stage of his study Imam Malik informed al-Shafi'i: "Allah has bestowed on you the (radiant) light: it is obligatory on you to safeguard it and not waste it by committing a sin."

Among other teachers of al-Shafi'i were Sufyan bin Uyaynah, Ibrahim al-Ansari, Muhammad bin Ismail Fiddik and others. His own pupils included renowned men such as Imam Humaidi (the teacher of Imam Bukhari), Harmilah bin Yehya, Sulaiman bin Dawud, Hasan Abu Ali al-Baghdadi (Z'afarani), Ismail bin Yehya al-Muzani and Imam Ahmad bin Hanbal and others. Many of his pupils became distinguished as jurists and traditionists. About al-Muzani, Imam al-Shafi'i would sometime say, "if he and the Devil were to debate on a point, the latter would be defeated."

Imam al-Shafi'i was authorised by Imam Malik to issue *fatawa* (decrees) very early, and the reason was that the former had ventured to correct his teacher in a particular but strange divorce case. And when he really began as a jurist he proceeded very carefully. He would, after consulting the Book of Allah, take an authentic Hadith and leave out the weak one. That was his principle to which he adhered when seeking the help of the Sunnah while settling issues or issuing decrees. He wrote an important book on *Usul al-Fiqh* (Roots of Jurisprudence), and became the founder of that Science. He wrote a hundred books and *risalah* and many of them are said to be extant. Famous and valuable among these is his monumental work, titled, *Kitab al-Umm*.

In the theoretical sense, the Science of Law, did not exist in the world before Islam. Yet, it was Imam al-Shafi'i who first

thought of Jurisprudence as case-law. His *Risalah fi Usul al-Fiqh* speaks of the origins and source of Law, as also of the methods of legislation, interpretation and application of Law and many allied topics. Imam al-Shafi'i "gave this Science the expressive name, —*Usul al-Fiqh*, in contradistinction to the general laws of land, which were named as *furu'* (branches) shooting out from these roots....."

Imam al-Shafi'i was a very capable debater and one deeply interested in clarifying issues and juristic points. But it seems that all his efforts were aimed at convincing his scholastic or juristic 'rivals' in the interest of unanimity. On the other hand, he was all out to denounce the theologians who had imported controversial issues and untoward philosophical notions into the dominions of Islam and created dissensions within the ranks of Muslim Ummah. Imam Ibn Taimiyyah (ra) quotes al-Shafi'i saying that "theologians should be beaten with shoes and palm-branches and paraded through the city so that the people may know the consequences of the study of theology (*Kalam*)."¹ Al-Shafi'i rejected dogmatic theology, and said "one who took it to be his garment, he would not succeed." This view of Imam al-Shafi'i is reconfirmed by Imam Ahmad bin Hanbal and Imam Abu Yousuf (ra) who held, "one who would seek knowledge by the help of scholastic theology would turn into an atheist (*mulhid*)."

Al-Shafi'i's generosity at one time was a bye-word. When he returned from his Yemani sojourn, people called on him out of curiosity. He had on his person ten thousand dinars and he went on distributing these to his visitors till he exhausted the whole amount. Once Caliph Harun invited him to address an assembly in his own presence. The Imam delivered an address that the whole gathering of the Ulama and public men as also others interested lost control over themselves. As for the Caliph, he wept bitterly and made a gift of 50,000 dirhams to al-Shafi'i for his oration. This amount, according to Muzani, he distributed mostly to scholars, men of piety, the penury-stricken, widows and orphans. To a question that he had finished about 40,000

dirhams he replied that it was the right of the recipients to have the amount as assistance and relief, and added, he had saved himself thus from accountability on the Day of Last Judgment.

The End of the Genius-Imam, 2004 H.

In Baghdad, Imam al-Shafi'i stayed for two years, went back to Makkah al-Mukarramah, performed the Hajj in 198 H, returned to Caliphal capital where he spent a few months and then shifted to Egypt and remained there upto the end of his life. His last days there showed him at his best in piety so that he shivered and trembled at times with the fear of Allah as if he had achieved nothing in this world and served no cause during his brief life (54 years was not a long period). This was surely the quality of self-abnegation when we know it for certain that the erudite Imam had behind him sufficient spiritual strength of which many saints (*awliya*) would be jealous. Twice had he seen the Apostle of Love, on him be peace, in early age. Once in the dream he was commanded to come nearer and the Prophet applied his saliva to his lips and tongue, saying, "Go ye, Allah bless ye." At about the same time al-Shafi'i dreamed of the Apostle offering *Salah* near the K'abah and then giving the sermon to the people. Al-Shafi'i requested: "O Apostle of Allah, teach me too." The Messenger of Allah, on him be peace, brought out a balance (*mizan*) from his sleeve and gave it to al-Shafi'i, saying, "This is my gift to you." The interpreter told him that he would be an Imam, propagating the Sunnah of the Apostle of Allah, on him be peace.

Imam al-Shafi'i had shifted to Egypt in 199 H and the country fitted in his programme. His residence turned to be a spiritual and intellectual beehive. It was frequented by the people for various reasons, —say guidance, knowledge and decrees (*fatawa*) or legal opinions. Imam al-Shafi'i, while very capable and adept in Science of Medicine and treatment, suffered from an endemic disease of piles so much so that while riding, blood would go down into his socks. This is what Ibn Hijr 'Asqalani writes in his account. The disease had a mortifying effect on his health. It ate into his vitals. There is also a report that he

had a debate with one Fityan bin Abi al-Samh al-Maliki, and this man violated cultural values during the discussion so that a suit was brought against him in the governor's court. As the decision went against Fityan he in the dark at night struck the Imam's head with a club or mace and that caused loss of much blood. Again, there was another opponent of Imam al-Shafi'i, Ashhab bin Abdul Aziz, a Maliki jurist, who always prayed for the end of the Imam for the latter's continuity would efface the Maliki Jurisprudence. When this was reported to him, Imam al-Shafi'i had simply to say that one who prayed for his death, shall also die even though he might follow him sometime after. Imam al-Shafi'i wrote on some juridical points differing therein from the Malikites. These latter approached the governor seeking his banishment. The governor summoned the Imam and asked him to leave the land. Al-Shafi'i steered in his face and sought three days time to think over. On the third night the governor died suddenly and the people were surprised by the occurrence. The Imam remarked, "Allah effaces whom he wishes and stabilises whom He likes."

It was a 'Asr time on Rajab 30, 204 H., it being Thursday, that the condition of the Imam worsened and his disciple, Imam Ibrahim Muzani, came and sat beside him, and heard these words expressed by the departing jurisconsult of Islam:

"I am leaving this world now, departing from my brethren, and sipping the cup of death. I will be meeting my past actions soon: I am going to the Court of Allah, not knowing whether I will be accommodated in Paradise; if it be so, it would be too good (to be there). And, were I sent to Hell, what can be the worse treatment than that?"

Then Imam al-Shafi'i offered his *Maghrib* prayers, and as he leaned on to his bed, the agony of death began. He sent a message to the most pious man of the day in the country, Idris al-'Abid by name, requesting to pray for his forgiveness. Then he invoked the Most High as he was stricken with the fear of

the Hereafter.

"O Thou Merciful Lord! Though I am a sinner, I have come to beg at Thy Court. When my heart hardened and all doors were closed on me, I made my hope a step towards Thy Kindness. Thou hath always overlooked my sins and shortcomings and forgiven me because of Thy Liberality. If Thy Benevolence were not with the supplicant, no worshipper and pious man can stand the vicissitudes caused by Satan. And how could he, when he (the Devil) had even seduced (tempted) Thy favoured one, —Adam, 'alaihiassalam. My Lord! If Thou forgive me, Thou shalt have forgiven a 'disobedient' one, engaged day and night in committing sins. If Thou were to punish me, I shall not abandon my hope attached to Thee, even if sentenced to Hell. My errors throughout have been great, but O Forgiving and Compassionate Lord, Thy Munificence exceeds (my errors and sins)....."

Thereafter, the ailing Imam offered his 'Isha prayers, and again turned to his Lord for forgiveness. Very soon, as he was in a sleeping posture, his great soul left its bodily cage, leading its way to the Heavens. Inna Lillahi wa Inna Ilaihi Raji'un. The demise of the Imam, famous as *Nasir al-Sunnah*, was a colossal loss in the domain of Islamic Jurisprudence. It was a shocking event in the history of the earlier generations of the Muslim Ummah. The blessed body of Imam al-Shafi'i was washed and prepared for burial by his intimate pupil Imam Muzani. The Jum'ah prayers having been offered, the people assembled in tens of thousands and the first to attend and begin funeral prayers was Sayyidat Nafisah bint Hasan bin Zaid bin Hasan bin Ali (rdh)(*). Then followed the huge gathering of the people. After 'Asr prayers, the coffin was taken outside Cairo and the Imams remains were laid to rest in the Cemetery of *Qarafat-u al-Sughra* near the Muqattam Hill. His tomb has continued to be visited by thousands of votaries of Islam who

pray for the Imam's noble soul, remembering his lasting contribution to Islamic Law.

Savants, scholars, jurists and traditionist of the category of the four Imams, —*The Emeralds in the Crown of Islam*, —as per evidence, had a spiritual standing of their own. During their lives (they themselves) and after their departure from the earthly abode, they were claimed to have been treated distinctly. That was the case with Imam Muhammad bin Idris al-Shafi'i (ra). His pupil, Imam Ahmad bin Hanbal dreamed of him, and when questioned how Allah *Subhanahu* had dealt with him. Al-Shafi'i replied: "He exalted me, had me crowned, married me (to a Houri), and then He said, O al-Shafi'i, My favour has been on you because you were never arrogant nor were you given to haughtiness on receiving Divine Bounties." In another dream the departed Imam told his student, Rabi' bin Sulaiman: "O Rabi'! Allah hath rewarded me with forgiveness, got me seated in a golden chair, and the angels showered pearls on me by His Command." Again, Imam Baihaqi records a dream of one Uthman saying as if it was the Day of Resurrection, and that there was heard a call that four Abu Abdullahs be escorted into the Paradise. When an angel was asked who they were, he replied, they were Imam Malik, Imam Sufyan Thauri, Imam al-Shafi'i and Imam Ibn Hanbal, Allah bless their souls. Ibn Jauzi records a dream of Abi Bayan al-Isfahani, saying that he saw the Apostle of Allah, on him be peace, and informed him that from one of his uncle's children, Muhammad bin Idris al-Shafi'i, had passed away. Al-Isfahani requested further: "(O Messenger of Allah!) did you recommend al-Shafi'i to Allah?" He replied: "Yes, I submitted to Him to forgive al-Shafi'i without taking him to account." The narrator, (al-Isfahani) asked again: "O Messenger of Allah! for what action ('amal) was he recommended?" He replied: "Al-Shafi'i used to say this prayer (*durud*) which no one had uttered so far." When asked what the prayer was, the Messenger of Allah, on him be peace, replied: "O Allah! shower blessings on Muhammad whenever he will be remembered by those who remember, and (also) bless him whenever the negligent will neglect remembering him." It is said that seventy poets composed elegies on the demise of

Muhammad bin Idris al-Shafi'i, and the best of these was the one written by the famous grammarian, Ibn Duraid.

Imam al-Shafi'i's Distinctions

The Youngest Mufti

Muhammad bin Idris al-Shafi'i (ra) learnt all that he could during his three years stay with Imam Malik (ra) as his guide, inspirer and unique instructor, and benefited from his enriching fund of 10,000 narrations he had preserved in his memory. Al-Shafi'i was now sixteen years old. The Imam had permitted him to issue *fatawa* on his own and this by a curious occurrence when a dealer in doves came to the Imam seeking his verdict in a divorce case. When he explained the matter, the Imam told him that the *talaaq* (divorce) had taken place. By chance, the man met al-Shafi'i outside the majlis and he gave the opinion that the *talaaq* was not valid. The person again went to Imam Malik and mentioned to him al-Shafi'i's view of the matter. When called upon to re-explain the point, his intelligent pupil referred him to the marriage proposal of Fatimah bint Qais which she had submitted to the Apostle of Allah, on him be peace. The Imam told the man 'go ye', the divorce has not taken place. Simultaneously, he authorised al-Shafi'i to issue his verdicts on cases. Being much satisfied with the capability of the young scholar. But al-Shafi'i did not start as Mufti at once. He wanted to benefit from other reputed teachers. He joined the majlis of Sufyan bin Uyaynah, an equal of Imam Malik, learning more and more from him on Hadith, jurisprudence and commentary at Makkah. Once Imam Sufyan asked al-Shafi'i to explain Imam Zuhri's narrated Hadith about the Prophet, on him be peace, who was on one occasion accompanied by Umm al-Muminin Safiyyah, when two persons came across and the Prophet said that the lady was his spouse. Al-Shafi'i gave a satisfactory answer and Imam Sufyan permitted him to issue *fatawa* independently. He took to the profession of a Mufti and worked as such until 195 H at Makkah.

Al-Shafi'i as Governor, Najran.

Imam al-Shafi'i's merits, qualities and qualification had

impressed many eminent men in Makkah Mukarramah and they wanted him in some responsible official position. He was shortly after appointed as governor of Najran in the south of Arabia. The people there (Banu Harith and Mawali Thaqif) were accustomed to bribe the governors and get things done in their own interest. Al-Shafi'i refused to accept gifts and amounts and decided court cases uninfluenced. He also formed a committee of seven men to settle ordinary disputes between the residents. The reputation of the Governor of Najran reached parts of the Yeman and the inhabitants thereof held him in esteem on grounds of his capabilities and the nature of his public dealings. Consequently, his popularity guided him on to other Walis of the region and he advised them to be fair and just in administering their charge. One Collector, Mutrib by name, addressed a secret letter to Caliph Harun to the effect that if he wanted the Yeman to continue as the province of the Caliphate, he should recall al-Shafi'i who being a Hashmi was as such a supporter of the Sadat, the Caliph's rivals.

Caliph Harun al-Rashid was enraged by Mutrib's letter and he sent a lightening command to one Hamed Barbari that both Al-Shafi'i and the Sadat should be arrested and directed to Baghdad. When the detainees reached there, the Caliph ordered that each day ten Sadat should be executed. On the day when it was the turn of al-Shafi'i with others, he kept his spirits high and delivered an eloquent address so that Harun trembled and he was brought to tears. He cancelled the order of execution. Yet, on another occasion, Imam al-Shafi'i participated in a literary discussion. The Caliph was reclining at the time and when al-Shafi'i began his arguments he took his seat in a proper manner and admired the speaker's fund of knowledge. He rewarded him with 500 dinars which amount Harthamalah bin A'yun handed over to him with an equal amount of his own. Caliph Harun appreciated al-Shafi'i's power of deduction and inference while speaking on the relevant subject.

Master of Arts & Science

Al-Shafi'i returned to Makkah after his studies at

Madinah, joined for some time the tribe of Azd (linked to his mother), and then visited the Yeman where he made best of the time in various subjects in the midst of the tribe of Huzail, famed for its perfectness in language, eloquence and oratory. Al-Shafi'i got trained in archery, philology, historiography, genealogy and the method of discernment. He mastered each of the subjects and men in the relevant field recognised his perfection in each. Thus, at twenty al-Shafi'i had picked up lessons in linguistics to his own satisfaction. Astonishingly, he had also memorised 10,000 verses from the poetry of Huzail. One wonders at al-Shafi'i's retentive memory, yet, more surprising is his composing a couplet in which he says: "I complained to Waki' (bin Yehya) about my bad memory and he advised me to give up 'sinning' (to improve memory)."

Some of the great linguists and writers, namely, Imam Abu Mansur Azhar, Imam Sulaiman Hinati (Al-Shafi'i's own student), Allamah Zamakhshari (of the *Kashshaf*) and Imam al-Razi, have acknowledged the significance of Imam al-Shafi'i's contribution to Arabic language. He had full grasp over historiography. An instance of his command over the language and history was his brilliant address at the Court of Harun al-Rashid. In astrology and astronomy (heavenly forms), he was so adept that he saw once the horoscope of a person and predicted that after 27 days a baby will be born to him, it will live only for 24 days, and on its left thy there will be a black mole. The same happened. Thereafter, al-Shafi'i burnt all books of astrology and never entertained a request to foretell things.

In the Science of Medicine (and medical treatment), Imam al-Shafi'i had achieved a lot after studying the books of Galen, Buqrat and Aristotle. It revealed that he was a man of vision, and, he would say, a human being is composed of two things, — Self (body) and Soul. Likewise, he stated that knowledge was of two kinds: religious and Science of Medicine (including medical treatment). He would often remark, "Muslims have wasted their Science of Medicine (he must have then in mind, *Tibb al-Nabavi*), and made the Jews and Christians the inheritors of

half the total knowledge." Again, he would regretfully assert: "Alas! Muslims have abandoned research in the Science of Medicine. They have turned away from investigations in the field and the discoveries thereof." In his own time, Imam al-Shafi'i was considered eminent and distinguished in the said Science. (*)

That Imam al-Shafi'i had mastered subjects in Arts and Science is a recognised fact. Yet, he proved to be a good educationist too in that he was well aware of the needs of a learner and an instructor, which when fulfilled would facilitate acquiring meaningful education. He versified the requisites of gaining true knowledge in one of his quatrains. Said he: "Knowledge is attainable with the help of six things and these are: intelligence, desire to learn, endurance, communication or sufficiency, good guidance of a (capable) teacher, and the time-span (at the disposal of the teacher and taught).

Imam's Discerning Eye

Imam al-Shafi'i was favoured by Allah with a powerful penetrating sight or the quality of discernment (*farasat*) and foresight. There is a Hadith, — "Beware of a discerning believer, because he sees things through the Light of the Lord." Apparently, this quality is the result of one's intelligence, understanding and inspiration and profound thought. There are many instances which point to the fact that Imam al-Shafi'i's discerning eye, backed by a fecund brain, could get at the right thing whenever he guessed about it. While he could tell that a particular person was a mason or a tailor, he could also help a confounded man to find out his slave with a defective eye. Imam Baihaqi recorded on the authority of Imam Ibrahim Muzani that there came a man searching for a person among those sleeping in the Jama' Mosque. Imam al-Shafi'i asked Rabi' bin Sulaiman to go and ask him whether he was in search of his Negro slave with the defect in his eye. The man came to the Imam who informed him that his slave was in jail. Lo! the man reached the prison and found him there. At this Muzani told the Imam that he had surprised the people and requested him to explain the

riddle. Imam al-Shafi'i said in answer:

"I understood that the man in search of his slave acted as if someone had run away from him. He went to that quarter of the Mosque where black slaves sleep and among them he was looking at the right side of each face. I thought some Negro with a defective eye must have absconded. It is within my knowledge that when a slave is hungry he commits theft. And if he has eaten to his fill, he commits adultery. Hence, I concluded that for either of the two crimes he must have been sent to jail."

Imam Muzani was reported to have said that the story was exactly the same with the perplexed man's black slave.

Poverty to Prosperity

As a firm believer, Muhammad bin Idris al-Shafi'i possessed two great traits of the pious and the faithful: sincerity of purpose, and, complete trust in Allah Almighty, the Sustainer of all living beings. Throughout his life would he feel contented with what he had in hand. According to his own statement, for 20 years, he never ate to his fill. The quality of contentment freed him from humiliation, disappointment and hopelessness. Referring to domestic discomfort, its one reason was a man's greed, and the other was a woman's asking for more and more. That made the home of a family an unhappy one. The Imam quoted this verse of Surah al-Hashr: "...but rather give them preference over themselves, even though poverty be their own lot: for, such from their own covetousness are saved—it is they that shall attain to a happy state (that's prosperity)."

Imam al-Shafi'i started, as we know, as a very poor boy when he was joining his studies. Remembering those early years, he never hoarded money nor cared to maintain cash balances. He was extremely generous, and did not withhold assistance from the deserving. Instances of his liberality have been noted already. On one occasion he received simultaneously cash-gifts

from the Caliph (Harun), Wazir J'afar Barmaki (1,000) and one from Abu Ziyadi (6,000) dinars, he made the whole amount over to the indigent, the scholars, jurists and others who needed financial protection. He would invoke Allah after each distribution to save him from worldly avarice. Once he was coming from the mosque with Ibrahim Muzani, and as they reached, he found a slave waiting for him at the gate. He handed over to the Imam a bag of money with a message of goodwill from one of his well-wishers. He reciprocated with thanks for the gift. Instantly, there came someone informing him about the birth of a child and expressed his need for help. The Imam gave the bag to him and entered the house smiling.

There is yet another story of Imam al-Shafi'i's generosity and munificence and this with a moving lesson for the niggardly people who lose hope. On the eve of an Eid day, his spouse complained to him that he was so liberal to all others (related or not) but at home there was deficiency of things and provisions. The Imam went to some one and borrowed 70 dinars but on his way he gave 50 dinars from the amount to the poor. With the remaining twenty dinars in hand he had reached the door of his residence when a Quraishi called him from behind for assistance. The Imam placed the meagre amount before him asking to take from it what he needed. The man went away with the cash balance. He explained the whole matter to his wife and the family slept that particular night silently. Next morning, J'afar bin Yehya al-Barmaki, the Premier of Harun al-Rashid, sent a messenger to the Imam who went to see him not knowing the reason for the call. J'afar related to him the dream he had the previous night and inquired whether what he had seen was correct. Imam al-Shafi'i replied that he had experienced exactly the same the other day. At this the Wazir (J'afar) requested him to accept the gift of one thousand dinars (to meet his expenses). This is mentioned by Al-Razi in his *Manaqib Imam al-Shafi'i*.

The Imam's Hospitality

Imam al-Shafi'i's another excellence was entertaining his

visitors and guests with politeness. That gave an idea of a true adherent of the Faith and values propagated by Muhammad, 'alaihissalam. Accordingly, the Imam behaved as a humble believer and did not make a show of his wealth and permitted no waste of the assets in worldly trifles so that the hearts of the poor were not annoyed. In this respect he always kept in mind the commands of the Holy Quran and the instructions of the Messenger of Allah, on him be peace, of which the underlying objective was to build a balanced society in a pleasant atmosphere. One of the ways of contributing to such conducive environment was to maintain a graceful and hospitable attitude towards the people. The Imam gave his ideals and likings a concrete form. He had, for instance, appointed a maid-servant for making sweats and these were offered to friends, visitors and the fraternity of the pupils. Those who called on him, he would talk to and converse with them with affection and with a smile on his face. He looked very happy when feeding or entertaining intimates. It was his habit to exceed in doing favour in return for the good done by someone. If he engaged a person to serve he would remunerate him doubly or trebly. Once he saw a capable archer striking the right target. The Imam being himself a capable marksman, gave him three dinars though he could have given him more had the money been on his person.

Nasir al-Sunnab.

Imam al-Shafi'i was a staunch follower of the Sunnah of the Prophet, on him be peace. Once a man inquired from him about an issue. He answered the same and also cited a Hadith in support. The man asked did he (the Imam) follow it himself. The Imam's anger knew no bounds and told him had he seen him coming out from a temple of idols or did he regard him wearing an unbeliever's thread. He added, his religion was the same as defined in the Hadith.

It was Imam al-Shafi'i's principle to withdraw his *fatawa* (verdict) or negate his decree, when he got an authentic Hadith on a particular point or issue. This, Imam Ibn Hanbal used to say about his distinguished teacher. Moreover, at times, he would

tell Imam Ibrahim Muzani, Rabi' bin Sulaiman and others (among pupils) that he had taken care to write down his arguments on an issue. Yet, as he was a human being, there was probability of errors in them, when only the Word of Allah is above any flaw. He asked, did they find anything detrimental to the Sunnah in his writings, they should rest assured that he had retracted from his previous position.

Similarly, Imam al-Shafi'i would tell Imam Ahmad bin Hanbal: "Your eye on authentic Hadith is better than me. Whenever you see a *Sahih Hadith* against my statement, inform me instantly so that I act accordingly and cancel my own judgment." When conversing or debating on an issue, the Imam would show exemplary forbearance and culture and in no circumstance give an impression of his superiority. His discussions with other scholars were always meant to uphold the truth. He was never given to speak a lie or a false thing, and ever tried to say the right, the correct, and the real to the best of his knowledge.

The Imam on the Salf and Science

An endearing quality and habit of Imam al-Shafi'i was to accord full honour to seniors, teachers, geniuses and reputed scholars, and, above all, to the Companions of the Prophet of Mercy, on him be peace. Whenever the *Suhabah* (the Companions) were mentioned or remembered in a majlis, he would say: "The Companions are above us (too superior to us) in every Science ('Ilm) and, interpretation (*Ijtihad*), piety (*Taqwa*) and wisdom (*Hikmah*)." As regards eminent men, mention was made on an occasion of Imam Abu Hanifah. Imam al-Shafi'i remarked with all respect: "Listen! The people (meaning 'all of us') in Jurisprudence (*Fiqh*) are the children of Imam Abu Hanifah (ra)." Again, once he inquired from a scholar about his engagements. He replied that he was working on Fiqh. The Imam rejoined: "Can you achieve the aim without studying Imam Abu Hanifah?" (ra.) Likewise, whenever he would cite Imam Malik he would say: "This is the statement of our teacher (*Ustaz*), Imam Malik (ra)." He would acknowledge the fact

that Imam Malik had a dignity of his own in knowledge (*Ilm*) and action (*Amal*). One day a person came to him and inquired about one's solemn pledge for going to the Holy K'abah on foot and asked what would he do if it was not fulfilled. The Imam said that he should compensate and that 'Ata bin Ribah, who was superior to him and others has said the same. When someone asked about the standing of Sufyan bin 'Uyaynah and Imam Malik (ra), Imam al-Shafi'i replied: "Had the two not been there, the Science of Hadith would not have taken birth in the Hijaz."

The Imam's Routine & Fearfulness

Imam al-Shafi'i's routine was strictly regulated. After *fajr* prayers, lessons on *Fiqh* would begin and last until the sunrise, followed by the Hadith majlis, then topicwise discussions would take place. Thereafter, lessons on poetry, grammar, language and history would take some time. After *Zuhar* prayers there occurred an interval of rest. Between '*Asr* and *Maghrib*, the Imam would remain engaged in the adoration of Allah *Subhanahu*.

Imam al-Shafi'i's night was divided into three parts. He went to the bed in the first part. In the second, he would write down Hadith and juristic topics. In the third part until *Fajr* prayers he would be busy with the Quran recitation and supererogatory prayers. The reading of the Book of Allah he very much desired and recited it melodiously so that the listeners around would be brought to tears and they trembled.

Some of the practices of Imam al-Shafi'i revealed him to be an ascetic of the first order. False or true, he never swore. 'Amru bin Batatah said that he had not seen anyone more ascetic and pious than Muhammad bin Idris al-Shafi'i. On one occasion, in a majlis Zu al-Nun Mis'i was being described. One 'Amru bin Batatah happened to be there and told the esteemed participants that in his view Imam al-Shafi'i was the greatest recluse, an adorer of the Lord, and, a man of piety, busy with the propagation and publication of the Holy Quran, away from the world's obscenities and independent of State officers and the rulers." Ibn Batatah continued: "Listen ('ye friends!): I was

with the Imam going to Safa (opposite to Marwah hill in the Haram) and Saleh Muzani's slave, Harith, was with us. By chance Harith recited this verse of the Holy Quran: "That will be a Day of sorting out. We shall gather you together and those before (you)." Imam al-Shafi'i trembled as he heard it and wept bitterly. He was always overwhelmed by the fear of Allah."

A Dominating Preacher.

According to some estimates, Imam al-Shafi'i did not have an equal in wisdom. Imam Ibrahim Muzani opined that if his wisdom and that of the half of the inhabited world were weighed, that of the Imam would exceed in balance. Once Imam Ahmad bin Hanbal went with Fadhl, the father of Muhammad bin Barazi (the narrator) for Hajj. Quite early he went out and it was thought that he had gone to join the majlis of Sufyan bin 'Uyaynah, a student of Imam Zuhri. Surprisingly, it was found that he was in the majlis of al-Shafi'i whom Ibn Hanbal thought to be that best in the knowledge of the Holy Quran. He informed his companion that he was Muhammad bin Idris, a Quraishi. According to Imam Humaidi, the teacher of Imam Bukhari, all the learned men of eminence in Makkah al-Mukarramah praised Imam al-Shafi'i's discerning eye and ingenuity. Imam Malik would say, "no one came to me for obtaining knowledge who was more intelligent than al-Shafi'i." As his pupil, he would ask him to recite more and more of the Quran because he was melodious in recitation and finest at intonation (*tajvid*).

Imam Ahmad bin Hanbal, Ishaq bin Rahviah and Imam Yehya bin Mu'in, were once together in Makkah and they wanted to join the Hadith majlis of Imam Abd al-Razzaq, but by chance they passed by another crowded majlis with a youngman seated in a dignified manner and asking the Syrians and Iraqis that they could inquire from him about the Prophet's *Ahadith* and that he would satisfy them. When Ishaq was told that he was Muhammad bin Idris al-Shafi'i, he said to Ibn Hanbal that they should inquire from him (al-Shafi'i) the meaning (background actually) of the Hadith, *makkinu al-tuyur fi awkarhim*. Al-Shafi'i took them to the days of Ignorance (*Jahiliyyah*) when the Arabs in order to decide whether to travel at night or not,

would throw stones on birds in their nests and if they flew towards the right they would proceed, and if they flew to the left they would abandon the idea. Thus would the people of pre-Islamic age disturb the birds at an unearthly time. This evil custom, the Prophet of Mercy, on him be peace, did not approve of, and he commanded to stop it accordingly. At this, the three well-known Imams acknowledged al-Shafi'i's comprehension and the grandeur of his status as a scholar. Imam al-Shafi'i applied deductive method in solving a juristic tangle. When he was asked what does the Quran say about one's killing a wasp in Ahram, he at once recited: "*ma atakum al-rasul fa khuzuhu wa ma nahakum 'unhu fantahu*", —('what the Apostle commands you follow it (take it) and what he forbids abstain from it'). The Imam referred to a Hadith, saying 'After me, O People! follow the *Shaikhain*, (meaning) Abu Bakr and Umar,' and he (al-Shafi'i) added, "And Umar had permitted to kill the wasp (hornet)." This is how the Imam satisfied the inquirers.

Chapter Five

Imam Ahmad bin Hanbal, ra., (164-241 H)

Multi-Juristic Scholars of Islam: An Objection!

"The first thing to be understood in this connection is that the broad outlines of Islamic Law, consisting of mandatory and unalterable edicts and fundamental principles and limitations, have always been accepted unanimously by all Muslim Scholars of Thought. Neither there ever was, nor there is now, any conflict of opinion regarding this portion of our Laws. Whatever difference ever arose was always in connection with the details that were to be framed through interpretation, deduction and Ijtihad, —all, of course, within the limits prescribed by Islam." (Islamic Law and Constitution, pp. 42-43)

Imam Ahmad bin Muhammad bin Hanbal's pedigree can be traced to the tribes of Nizzar and 'Adnan and through them to the Prophet Ismail son of the Patriarch, Ibrahim, peace be upon them. However, there is reported to be some difference in the systematic genealogy of his ancestors. Ahmad was of middle height and distinguished by his unique physical features which were almost attractive and elegant. He was brought up and educated in Baghdad which city was senior to him by about two

and a half decades. He travelled far and wide for study and collection of *Ahadith* and received titles (*asnad*) from each teacher such as Imam al-Shafi'i, Yehya bin Saeed al-Qattan, Sufyan bin 'Uyaynah, Waki' bin Yehya and others as well. Those who related Hadith on his authority included Imam Bukhari, Muslim bin Hujjaj, Abu Zir'ah and Abu Dawud. As the time passed his School of Jurisprudence produced some of the erudite men in various fields who served both religion and Muslim society of the day. His two sons, Abdullah and Saleh, not only learned Hadith from him but also were his spiritual successors.

Imam Ahmad bin Hanbal (ra), despite his concentration on gathering the wealth of Hadith, could write many books which included subjects connected with Hadith, juristic issues and *Sirah* or history as also regulations about Muslim worship and the fundamentals of the Faith. Among his important works are his *Kitab al-Iman* and *Manaqib Ali bin Ali Talib (rdh)*. A number of his books have been since printed and published by the Presidency of *Irshad* and *D'awah*, Riyadh. However, by far the most outstanding and vital work of the Imam (ra) is his monumental collection of *Ahadith* called *Musnad Ahmad*, comprising 30,000 narrations excluding the repetitions in thousands. According to his own statement made to the beneficiaries and his own son, Abdullah, he had worked strenuously and selected the said number out of a total of 700,000 narrations in order to resolve the problems of the needy believers whenever issues or disputes among them arose. The Imam seems to have said further that the actual number of the *Ahadith* chosen was 50,000 with this aim that whenever required by Muslims they could have recourse to his *Musnad*.

There are, nevertheless, opinions that there were a few traditions in the collection either 'fabricated' or 'faulty' and this must have occurred because in his sufferings imposed on him by the tyrants, he could not recheck the contents. Notwithstanding the controversies arising from the notions of the investigators, it must be acknowledged that *Musnad Ahmad* is one of the most valued Hadith collections which was only

preceded by the compendiums *Sahifah Sadigah*, *Sahifah Imam bin Munabbih* and *Muwatta Malik*. Though Imam Ibn Hanbal could not finally arrange his collection chapterwise, the work was accomplished by his son, Abdullah, who while completing it memorised 10,000 *Ahadith* from it. It turned to be a very vital and voluminous work.

Imam Ahmad's personal qualities were unique and worthy of emulation. He set unparalleled examples in piety, preservice, steadfastness, selflessness, courage, and above all, trust in Allah *Subhanahu*. Interestingly, Imam al-Shafi'i once expressed to Caliph Harun al-Rashid the need for a judge in the Yeman who replied that he himself could be the best choice. Then he spoke to Ibn Hanbal whether he would go to the Yeman to join the post. The latter was displeased and pointed out that he was coming to him for learning Hadith not for the job of a Qadhi. Imam al-Shafi'i regretted and observed silence. Ahmad ibn Hanbal would not pray after his uncle and son, Saleh, nor take meals at theirs because they had accepted assignments or allowances from Caliph Mutawakkil. Be it in their vicinity or in the cantonment of the Caliph, he would prefer keeping fasts and not be obliged by them.

Caliph Mamun once sent him some quantity of gold to be distributed to the traditionists. He refused to take it. One of the businessmen offered him 30,000 dinars as a gift amount, the Imam shunned accepting it. While at studies, the financial condition of the Imam worsened and *Muhaddith* Abd al-Razzaq, his Sheikh, wanted to help him, he declined accepting it. Once the Imam could not prepare clothes for himself, he confined himself to the room dressed in tattered garments. Meanwhile, someone offered him money to purchase clothes, he accepted on condition that he would repay him by writing his book. Abd al-Rahman bin Ahmad bin Hanbal reported that his father's invocation after prayers used to be: "My Lord! The way Thou saved my head from bowing before others, the same way protect me from supplicating anyone (other than Thee)."

Imam Ahmad bin Hanbal (ra) used to be particular about the welfare of others and ignore personal good. Whenever he bowed down in *sajdah* (prostration), he would pray: "O my Lord! If Thou want a ransom from the sinners of Muhammad's Ummah, do make me their ransom," implying to forgive them and impose the total punishment on him and exempt the Muslim sinners. For the water for his ablutions he would never ask anyone to bring it but himself go and get the bucket of water. And while drawing the bucket he would utter *Al-Hamdu Lillah*. When asked why he expressed *hamd* (thanks), he would in answer recite this verse of the Holy Quran: "If all of a sudden all your water were to vanish underground, who (but Allah) could provide you with water from unsullied springs." (LXVII: 30)

Likewise, for himself, the Imam was all hardship and rigidity. For others he was a source of relief. Imam Baihaqi (ra) has recorded an incident which may be mentioned instantly: a supplicant came to the compassionate Imam requesting to pray for his mother's recovery, she being a disabled lady who could not walk since twenty years. The Imam was a little angry, saying that he himself needed his mother's prayers. Yet, he invoked Allah for her recovery and the man returned home of which the door was opened by the patient herself as she could walk on foot for the first time. The Imam's prayer had gone through. Again, a person was favoured by the Imam with a gift when another man wanted it from him at a reasonable cost. The donee refused to sell the gift telling him that he could not oblige him even for the maximum amount because he desired to be blessed as much through it as the aspirant wished to be.

Imam Ahmad bin Hanbal (ra) suffered from greater afflictions under Caliphs Mamun and Mutasim. During the latter's reign he was chastised more. The basic reason was that a group of Mutazilite separatists after having come under the influence of Greek theology and philosophy (since translated into Arabic), moulded the minds of the said Abbaside rulers. The result was that the groundless issue of the *Khalq-i Quran* was manipulated. The chief Mu'tazili, Ibn Abi Dawud, induced

Mamun to issue a circular to the Ulama to assemble at the Court and prove that the Quran was UNCREATE. All along the Caliph issued threats of punishment and execution in case the invitees refused to respond. It was now certain that a period of untold oppression was to be faced by all the scholars loyal to the Word of God and Muhammad's Message. Our most esteemed Imam, Ahmad bin Hanbal (ra) had been foretold through genuine dreams that the real test of his Faith was approaching and that he should be prepared for all hardships and afflictions in the way. The Imam welcomed the predictions.

Imam Baihaqi mentions on the authority of Rabi' bin Sulaiman whom Imam al-Shafi'i sent with a letter from Egypt to the address of Imam Ahmad. Rabi' met him when the Imam was returning from his *Fajr* prayers and delivered the message to him. On inquiry whether he (Rabi') had seen the text, he replied in the negative. The Imam went through the letter and tears trickled down from his eyes. Rabi' asked what the message was. Al-Shafi'i had written what the Imam read out: "I have seen the Messenger of Allah, on him be peace, in the dream. He commanded me to convey to you his *Salam*, (and added) to inform you that shortly after you will be put to test in the issue of *Khalq-i Quran* (That the Quran is Create)." The Apostle also warned (wrote al-Shafi'i) "that in no circumstance should he (Ahmad) accept (the view of) *Khalq-i Quran*. Allah Almighty will recompense him by preserving his knowledge (that is his work on juristic thought and Hadith) until the Day of Resurrection." Rabi' continued stating that he gave good tidings to the Imam and then took his shirt (*qamis*) as a reward or a symbol. He carried it to Egypt and offered it to Al-Shafi'i (ra) who told him: "Rabi', I do not need the garment as such, but do one thing: soak it in water and give it to me to attain to bliss."

Intimidated by Mamun's threatenings, many spineless scholars 'accepted' the renegades' theory about the origin and nature of the Book of Allah (that is Al-Quran). Courageous believers did not mind inducements, warnings and threats of the Caliph. Imam Ahmad bin Hanbal (ra), Muhammad bin Nuh

Neshapuri and others rejected the Mutazilite view or innovation. They were brought in chains to Mamun's misguided Court and were still away from it when a bedouin, Jabir bin 'Aamir, came up and wished the Imam well and stated:

"My Master (Imam Ahmad)! your personage is extremely valuable to Muslims today, and, you are going to the Caliphal Court as the (right) Representative of the Muslim Ummah. For the sake of Allah, do not become a source of regret to the believers, and, never accept the (renegades') view of the *Khalq Quran*. If you keep Allah as your Friend (*Wali*), observe patience. The time span between the Paradise and you is simply your (coming) martyrdom. And death is but inevitable. Did you succeed in (banishing) this disruption (*fitnah*), you will achieve both this world and the Hereafter."

The Imam was moved by this appeal of (an unlettered) bedouin and it went deep into his heart. Again, according to another report, Abdullah, the son of the Imam stated that his father would pray for the forgiveness of one Abul Haitham (a robber), and when asked who he was, the Imam replied that as he was taken to the Caliph's Court in chains and the human tools of the misguided lot were manhandling him, this man (Abul Haitham) told him that he was a declared thief who was flogged repeatedly but he kept (continued) his alliance with the Satan and returned to his crimes. Then he told him (the Imam) that he (Abul Haitham) would only regret if he did not stick to the path of Allah in the coming test. The Imam said that he was profoundly impressed by the remarks of the former robber.

As the chief advocate and defender of the Book of Allah was being carried to the destination, there appeared in his front a servant of the palace, with tears in his eyes, who informed the Imam in anticipation, that Mamun was prepared to kill him did he refuse to accept the Mutazilah view of the Holy Quran. The Imam then stood on his knees and prayed:

"O my Lord! This dissolute (ruler) has turned to be too arrogant because of Thy Forbearance, so that he does not refrain from raising his sword on Thy friends. O Lord! if the Quran is Thy Uncreate Word, then Thou keep me steadfast for it (The Truth)."

The following day, Mamun, who had died the same night, was buried, serving a lesson to the culprits. But he was succeeded by a more tyrannical man, Al-Mutasim. The Imam with other detainees was taken to Baghdad (the venue) fastened and put into the prison for some time.

The destined day for the test of the great Imam approached. Mutasim seated himself in the open Court and the 'nominee' of Islam, was brought before him in shackles. Questions and answers, arguments and counter-arguments on the issue of the Book of Allah went a long way and thus three days were spent in the 'tussle' caused by the Mutazilite hoax. Mutasim offered to the Imam every bate but he refused to come round and upheld the fundamental Truth that the Quran was Uncreate (*ghair makhluq*) and tried to convince the strayed Caliph who was surrounded by the Mutazilah men such as Ibn Abi Dawud and Ishaq bin Ibrahim and the timid Ulama, all of whom were silenced by Imam Ahmad (still in manacles) who categorically demanded from both the Caliph and his sycophants to bring forth a proof from the Quran and the Sunnah in support of their profane stand on the former. In the concluding debate, too, the Imam defeated the renegades who then took to instigating Mutasim to condemn him for his *kufr* (Allah forbid). Mutasim was enraged and he ordered that the 'supreme advocate' of the divinity of the Quran be flogged. And as the tools began whipping the Imam, he uttered *Bismillah*, *La havla wa la quwwatah*, and *Al-Quran Kalamullah*. For the fourth time the defender of the Divine Word recited, *Qul lan yusibana illa ma katabillahu lana*.

While the flogging of the *Muhaddith* and jurisconsult of Islam was on for no fault of his, Mu'tasim continued inducing

him but the Imam turned down his otherwise luring offers. With the extreme pain caused by his wounds and bloodletting, he swooned and at the end the Caliph, overawed by the patience of the sufferer, and at the same time fearful, ordered that the flogging be stopped. The Imam, regained consciousness, and found himself unfettered in a room of the palace. Then he was taken to his home. On his way he offered *salah* in congregation (*jama'ah*). Qadhi Ibn Samma'ah (who led the prayers) objected to the Imam for praying while his blood was oozing from his wounds. The Imam replied that he did it in accordance with the Sunnah of Caliph Faruq the Great, *Shahid al-Mihrab*, Allah be pleased with him. As he recovered, it is reported that Mu'tasim, who had already expressed regrets, was pleased at his resolve to defend the right. The Imam forgave all those who had been unjust to him except the Mu'tazilah culprits who were soon to account for. Others, who suffered or died when the Mu'tazilah *fitnah* was on, were Muhammad bin Nuh, Ibrahim bin Hammad al-Khuzai, Abu Yaqub al-Tubbi and others, Allah bless the souls of all these missionaries of Islam.

Early in Rabi' al-Awwal, 241 H, Imam Ahmad bin Hanbal, *Rahmatullah 'alaihi*, was taken seriously ill, and the visitors began flocking anxious for his recovery. As the appointed time approached, the Imam made testaments with regard to the family, children and relations and enjoined his sons, Abdullah and Saleh, to carry on his mission, obey Allah and His Messenger, on him be peace, and expressed that he was pleased with Allah, with His approved Religion (Islam) and Muhammad, His Last Prophet, on him be peace. He advised his sons how to wash his body and cover it. He passed away in the same month on a Friday forenoon. The news of his demise spread like wild fire and the people thronged the place. The Deputy of the Caliph, Muhammad bin Abdullah ibn Taher, sent his servants with the shrouds saying that these were from the Caliph. Because the Imam had never accepted State offers or favours, his sons, Abdullah and Saleh, did not like to be obliged by the gift. The blessed body was covered with the cloth woven by some small girls. Thus everything required for giving a wash and *takfin* including water was purchased with ready money.

According to Ibn al-Jauzi, the Imam owned three hair (wreaths) of the Final Messenger of Allah, on him be peace. He had willed that two of these should be placed on his eyes, and the third one should be kept by his sons. When the body of the Imam was being cleaned, a hundred scions of Banu Hashim from Baghdad went in and repeatedly kissed the Imam's forehead. The Caliph's Deputy led the first funeral prayer. The gathering of the participating mourners was so large that it took four to five hours in carrying the coffin from the residence to the cemetery. Reports vary as to the number of those who attended the funeral and offered *Janazah* prayers. A total of fifteen hundred thousand people participated at various times. According to Kafi, a neighbour of the Imam, nearly twenty thousand Christians, Jews and Magians became Muslims on the historic occasion. *Inna Lillahi wa Inna Ilaihi Raji'un!*

An Estimate of the Defender of the Quran.

Having noted and understood of what mettle Imam Ahmad ibn Muhammad ibn Hanbal (ra) was made, it will not be difficult to attempt at recording an estimate of his greatness as a scholar, savant, jurist, traditionist and sufferer in the Way of Allah *Subhanahu* and His Messenger, on him be peace. Besides, for his steadfast resolve to uphold the Holy Quran as the Word of the Most High and his immaculate adherence to the Sunnah of Muhammad, *'alaihissalam*, the Imam deserved immense honour. Let us begin with the statements of his contemporaries and also the later scholars, and spiritualists. Abu Dawud Sijistani stated that "Imam Ahmad bin Hanbal's *majlis* used to be like an assembly of the Hereafter (*Al-Akhirah*), wherein nothing was mentioned other than the affairs of the Faith." Ahmad bin Saeed al-Darimi said that "he did not find anyone more preserving *Ahadith* of the Apostle of Allah, on him be peace, than Imam Ahmad bin Hanbal." Ishaq bin Rahviyah claimed that the Imam was a *hujjah* (a plea) between Allah and His creatures." Yehya bin Mu'in would say, "if we were to describe the excellencies and praises of Imam Ahmad, it would be impossible to do it in a single sitting." Imam 'Ajali would opine, "Imam Ahmad is trustworthy and dependable (in Hadith) and in

the art of Hadith he is perfect as an adherent of the Sunnah and a legacy of the Companions." Dar Qutni mentioned a tradition that in the propagation of the Faith and the Sunnah, Imam Sufyan Thauri had no successor (except) Imam Ahmad bin Hanbal after whom innovations multiplied.

At the time of Ibn Hanbal's demise, Imam Bukhari was in Busrah and he heard Abul Walid Tiyalisi saying, "had Imam Ahmad bin Hanbal taken his birth among the ancient Israelis he would have been an apostle probably." Imam Ibrahim Muzani is reported to have stated that "in world history there were five men who on respective occasions showed marvellous personal courage and gave proof of their self-sacrifice: Caliph Abu Bakr during the wars of Apostasy, Caliph Umar during Thaqifah affair, Caliph Uthman when he was besieged (by the rebels), Caliph Ali on the occasion of Siffin, and, Imam Ahmad bin Hanbal on the issue of *Khalq Quran*. Imam al-Shafi'i stated that in Iraq he had left no person more scholarly, pious and God-fearing than Ahmad bin Hanbal. Yehya bin Saeed al-Qattan would say that from those coming from Iraq, none was dearer to him than Ahmad ibn Hanbal and that he was dearest to him among all other people. A report ascribed to Qutaibah (the teacher of Imams Bukhari and Muslim) said: "Imam Sufyan Thauri passed away, piety died, Imam al-Shafi'i expired and the Sunnah was mortally affected, and, after Ahmad ibn Hanbal there was danger to pristine Faith (religion) and innovations began being propagated." There is yet another statement of Qutaibah that Imam Ahmad bin Hanbal fulfilled the duties (mission) assigned to an apostle (in the ancient past). In other words, the Imam worked and suffered but remained perseverant. He showed the degree of patience which was special to the apostles of the distant past.

Abu 'Umar ibn al-Makhas, speaking about Imam Ibn Hanbal remarked so thoughtfully: "Allah have mercy on Imam Ahmad, he was too steadfast in the matter of Faith, and his qualities and traits were (more or less) similar to the pious *Suhabah* and the *Tabi'in*. He was offered worldly riches but

he rejected it, and, likewise, when religion to him was presented in a different form, he turned it down, and continued to adhere to pristine Islam." According to Bishr bin al-Harith, "Imam Ahmad proved to be the Ahmad when he succeeded in the test of *Khalq Quran* just like the pure gold that is tested in the crucible." In sooth, Imam Ibn Hanbal combined in himself many great qualities and merits of the former eminent Muslims. Yehya bin al-Zuhli included the Imam among four distinguished men each of whom performed a unique service: Imam al-Shafi'i in understanding and classifying Hadith, Abu Ubaidah by introducing *gharib* (strange) traditions, Yehya bin Mu'in by shedding light on false 'Hadith', and, Imam Ahmad by standing firmly against the disruptive view of the *Khalq Quran*. Imam Fakhr al-Din al-Razi regarded Ahmad ibn Hanbal to be an incomparable *faqih*, and, according to Hadith, he was one of those who stood for the right.

Reports favour the view that Imam Ahmad bin Hanbal was treated distinctly in the world of spirit. Ibn al-Jauzi quotes one Ibrahim Harbi saying that he saw Bishr Hami in a dream and he asked him how was he treated (he having something moving in his sleeve): he replied: "I was forgiven by Allah." Ibrahim asked what was in his sleeve. He said: "The other night pearls and rubies were showered on Imam Ahmad bin Hanbal and I picked some of them." Ibn al-Jauzi again cites the statement of Abu Bakr Marozi (a pupil of the Imam), who saw him in a dream, seated in a garden covered in two green blankets with a crown on his head, at once radiant, and walking in a unique manner. I asked, "what pattern of walking is it?" He replied, "it is the pattern of the Servants of Dar al-Salam." When asked about the crown on his head, the Imam said, "it was a reward from Allah, Who showed me His Light, saying besides, "you persevered and suffered for rejecting the *Khalq Quran*, and this is the reward (compensation.)." Hafiz ibn Hajar 'Asqalani wrote on the authority of Abul Hasan Zaqwani that when Sharif Abu J'afar bin Abi Musa was buried adjacent to the grave of Imam Ahmad ibn Hanbal 230 years after, the body of the Imam was found intact.

Chapter Six

Epilogue

A Hadith to be thought over.

Companion Thauban, rdh., Narrated:

"The Messenger of Allah, on him be peace, said: 'Just as the eaters invite others (hungry) to the trencher (a large wooden plate of food), it is imminent that antagonistic peoples will assail you.' Someone (ventured) to ask: '(O Messenger of Allah!) would it be because we would be then in lesser numbers?' The Messenger of Allah, on him be peace, replied: 'No! you will be in large numbers, but that you will lose weight in the manner of particles (of straw) mixed with the scum on flood-waters. Allah will lift your dread from the hearts of the enemies and your own hearts will be overcome by the disease of feebleness (wahn).' Someone present inquired, 'O Messenger of Allah! what is wahn?' He replied: 'Love of the world and hatred of death.' (Al-Baihaqi, Abu Dawud, ra.)

The foregoing brief account, presenting the lives and contributions of the Four Great Imams, namely, Abu Hanifah, Malik bin Anas, Muhammad bin Idris al-Shafi'i and Ahmad bin Hanbal (ra), —their respective standing in the juristic, literary and spiritual domains of the Arabian Islam, is not meant just to provide a reading material to scholars and students and others

interested. The underlying objective is to efface the impression created by the inimical elements and agents (alien to pure Islamic Thought) that the four schools of *Ahl al-Sunnah wa al-Jama'ah*, were rivalry-torn from the inception, advancing their own ideas and notions at the cost of Islamic solidarity, forgetting thereby the essential principles of the Holy Quran, and, misusing the very narrow of the Sunnah of the Prophet of Justice, on him be peace. That was not the case with any of the founder-Imams, nor with those scholastic geniuses who followed them. Each school, moreover, was founded dispassionately by each only to contribute its mite in the field of Islamic Shari'ah.

Admitted, that the four Imams adopted their particular ways of interpretation, yet, each of them had in view the supreme interest of serving and maintaining the system inaugurated by Muhammad, 'alaihissalam. And when they and their successors travelled, studied, researched, taught and compiled their works, discussed, debated and deliberated on issues in the respective schools, it should not be construed that they were on a war-path, striving to defeat and reduce their 'adversaries.' May be, some of the narrowminded men in future were responsible for fanning the fire of differences during the periods when, apart from the decline of Muslim supremacy, the socio-intellectual level had touched a new low.

It is interesting to know that the eminent Imams under reference lived and died in somewhat same era. The total period for which they studied, functioned or suffered, extended to 161 years according to Hijrah Calendar. The first of them, Abu Hanifah was born in 80 H and the last one, Ahmad ibn Hanbal was recalled by Allah in 241 H. Imam Malik was 57 when Imam Abu Hanifah passed away. Imam al-Shafi'i was born in the year 150 H when Imam Abu Hanifah expired. When Imam Malik left this earthly abode, Imam al-Shafi'i, his pupil, was 29 years old. Imam Ahmad was younger to his teacher, Imam al-Shafi'i, by 14 years and the former's demise took place 37 years after the departure of Imam al-Shafi'i. Likewise, both these Imams did not see Imam Abu Hanifah, while the three, Imam Malik,

Imam al-Shafi'i and Imam Ibn Hanbal saw one another. The younger two benefited from Imam Malik's meritorious work when Ibn Hanbal and al-Shafi'i were also mutual beneficiaries. An important point to note is that this last jurist (Imam al-Shafi'i) differed in judgment from the eldest veteran in Jurisprudence but he appreciated his immense and essential role in building Islamic Law which was eventually perfected by his pupils, Imam Abu Yousuf and Imam Muhammad, and may be also by Imam Zafar. Imam al-Shafi'i had intimate contacts with these jurisconsults, and, appreciated Imam Abu Yousuf's contribution in the relevant field (and possibly in the conduct of the State also).

When al-Shafi'i was in the tenth year of his life he knew Imam Malik's *Muwatta* by heart and as he joined the latter at Madinah at 13 he surprised the compiler by reciting the volume orally and heard a prediction from him about his future greatness. Al-Shafi'i had great respect for his teacher, Imam Malik, and when commenting on his work on Hadith, he would say, "there is no other book more correct after the Book of Allah (Al-Quran) on earth's surface." He also stated that when Imam Malik would find part of a Hadith doubtful, he would leave the whole of it. He likened the Imam to a luminous star in the scholastic sky. One wonders when Imam al-Shafi'i held his teacher in so much esteem why should the Maliki scholars in Egypt have become his enemies. Surely, he was a genius so that they were jealous of his extraordinary merit and excellences because of which he had been so close to Imam Malik (ra). As for Imam Ahmad bin Hanbal, he would acknowledge genuineness of Malik's *Ahadith* though there was something wanting in the chain of narrators of a few traditions. Nevertheless, when asked whose Hadith should be committed to memory, Ibn Hanbal would reply, 'the Hadith of Malik bin Anas.'

Imam al-Shafi'i loved Ahmad bin Hanbal exceedingly and trusted him in the matter of Hadith certification and collection. When in 199 H he visited Baghdad for the second time, he asked Ibn Hanbal that when ever he might obtain a Hadith be it of the

Hijaz, Iraq or Sham (Syria), he should inform him so that he could abide by it. The Imam would add, that he was not like the Hijazi jurists who treated Hadith from outside Arabia as undependable. His advice to Imam Ahmad is self-explanatory and it reads: "See Ahmad! If you find a *Sahih Hadith* (from any source) that conflicts with my judgment or opinion, you should convey it to me so that I abandon my own stand. Which sky or earth will offer me shelter if I maintain my views against a Prophetic command." Imam Ahmad was no less respectful towards Imam al-Shafi'i, holding him in high esteem. He would always pray for his forgiveness. According to Ibn Jauzi, Imam Ahmad bin Hanbal was asked by his son, Abdullah, as to who was this al-Shafi'i for whose forgiveness he invoked Allah so frequently. The Imam replied: "Imam al-Shafi'i is one whose example was that of the sun for earth and health for a human being." That should imply the significance of al-Shafi'i in Islamic society, its work and mission, and his contribution to Shar'ah Law. Imam al-Shafi'i would consider his company with Ibn Hanbal a favour from Allah even if it lasted for a short while. A reputed *Muhaddith*, Abd al-Rahman bin Mahdi, was questioned why he considered Imam Malik more comprehensive than Imam Abu Hanifah. He denied he had said so but admitted the assertion that Malik had better understanding in Fiqh than Abu Hanifah's teacher, Hammad bin Sulaiman. Al-Shafi'i's son, Abu Uthman Muhammad, was an intimate pupil of Imam Ibn Hanbal who loved him because he was the son of his teacher, —a Makki and a true adherent of the Sunnah.

The differences of Imam al-Shafi'i with the Hanafi School in some juristic issues are not unknown but these were not personal so that they affected not the degree of honour he accorded to Imam Abu Hanifah, his work and his memory. The Imam's relations with Abu Yousuf and Muhammad, the two eminent pupils of Abu Hanifah were quite cordial notwithstanding the fact that their approach to problems was different. Both these Hanafites would look to al-Shafi'i with reverence because of his standing and his distinct contribution to Islamic Law. One day it happened that Imam Muhammad

was going to the Court of Caliph Harun al-Rashid. On his way he came across Imam al-Shafi'i and he dismounted from his horse and told his servant that he should go to the Court and inform the office that he could not attend for the reason that Imam al-Shafi'i had blessed (him) by his arrival. The Imam exhorted Muhammad to proceed to the Court saying he would visit him again. But Imam Muhammad rejoined, it was not necessary for him to be present at the Caliph's when his (Al-Shafi'i's) coming to him was of greater benefit (and bliss).

A lesson-serving incident and an example for all those people who insist on the rigid attitude and imposed segregation of all the four schools of Islamic Jurisprudence and thereby violate the Commands of the Holy Quran and the legacies of the Prophet's blessed time. Who does not know that Imam al-Shafi'i rose to be a *Faqih* and the supporter of the Sunnah long after Imam A'zam (Abu Hanifah) adopted well-thought-out pattern of interpretation of laws, regulations and *Ahadith*, differed in the methodology from the Hanafite school, that is its founder and his close disciples. Yet the latter and Imam al-Shafi'i were mutually tolerant and would at times concede in the interests of collective good of the Ummah and the unity of Islam. In this respect Dr. Muhammad Hamidullah's valued observation may help in understanding the point:

"Here a case may be cited which seems to be the model to follow in such cases: Abu Hanifah and al-Shafi'i are doubtless two of the leaders (*Imams*) of Muslim Law, completely independent of each other in legal judgment. According to al-Shafi'i, the *Qanut* prayer at dawn (*Fajr*) is obligatory, whereas Abu Hanifah suppresses it completely. The story goes that once al-Shafi'i went to Baghdad (where Abu Hanifah lies buried), and during his stay there he renounced his own view on the *Qanut* prayer. When questioned, he replied: "I continue as firmly to cling to my opinion as before, yet in presence of the great Abu Hanifah I feel ashamed to follow my own

opinion.' Needless to say, that the implication is that such learned differences do not concern the general public who should not only follow their leader (*Imam*) but should also be tolerant of those who are followers of other leaders (*Imams*)." (*History of Muslim Philosophy, II*, p. 1223).

In the final analysis of the whole case that I want to build up in regard to various schools of thought adhering to the fundamentals of Islam, I must stick to the essential truth that all the rightful and righteous Imams and their great successors, while interpreting the Holy Quran and the Sunnah, did not mean anything that would go against the basic system that was bequeathed by Muhammad, '*alaihissalam*, and his immediate Caliphs and other eminent Companions. Had they meant so, how could they argue for maintaining the solidarity of the Muslim Ummah grounded as it was on the fundamental concept of the Oneness of Allah (*Al-Tawhid*) and the Apostolic Message which was destined to work and survive until the Day of Final Judgment.

The scholastic and juristic genius of each revered Imam emanated from his God-given comprehension of the two supreme sources of Islamic Law and their resolve to serve the system and cause of Islam resulted from their determination to keep the Muslim Community within its social, legal, religious and moral bounds. Then alone could the politico-economic aspect of the Islamic civil society be kept under supervision and control. Then alone could it be a Community fair at transactions, pious, and productive and energised further by the vital ingredients of the Holy Quran and the Prophet's Sunnah. And, then alone could Muhammad's Ummah be claimed to be the *Ummatan Wasata*, —a Community at once enlightened, tolerant, just, forbearing, moderate and well conducted.

Needless to point out that there existed differences of judgment issues between the two or more *Imams* or between their schools. But these were differences in branches (*furu'*)

and not in basics in the main that is roots (*usul*). For instance, al-Shafi'i and the Hanafites disagreed in a number of points with regard to *nikah* (marriage) and inheritance (*warathah*), or in *Hajj* and *Salah* services (*shurut* or conditions). But this did not prevent them from observing and fulfilling obligatory duties together. Thus they were one at *Salah*, *Saum*, *Zakah* payment and *Hajj* despite the fact that they might have disagreed in the manner of performing each fundamental duty. How could they turn to be the sectarians when the Quran had explicitly defined the Prophet and his men thus:

"He it is Who has sent forth His Apostle with the (task of spreading) Guidance and the Religion of Truth, to the end that He make it prevail over all (false) religion.....

"Muhammad is God's Apostle: and those who are (truly) with him are firm and unyielding towards all deniers of Truth, (yet) full of mercy towards one another. Thou canst see them bowing down, prostrating themselves (in prayer), seeking favour with God and (His) goodly acceptance: their marks are on their faces, traced by prostration." (XXIII: 52-54)

How would they bear going against the Quranic Truth contained in the verses of Surah *al-Muminun* which read:

"And verily this Brotherhood of yours is a single Brotherhood, and I am your Lord and Cherisher: therefore fear Me (and no other).

"But people have cut off their affair (of Unity), between them, into sects: each party rejoices in that which is with itself. But leave them in their confused ignorance for a time." (Vs. 52-54).

Commenting on these verses, Abdullah Yousuf Ali (ra) annotates:

"All prophets form one Brotherhood: their Message is One, and their Religion and Teachings are One: they serve the One True God, Who loves and cherishes them; and they own their duty to Him Alone.

"The people who began to trade on the names of the prophets cut off that unity and made sects; and each sect rejoiced in its own narrow doctrine, instead of taking universal teaching of the Unity of God (*Al-Tawhid*). But this sectarian confusion is of man's making. It will last for a time, but the rays of Truth will finally dissipate it."

And above all, could there be any justification in reducing the one united Ummah into ideologically contending factions and fragments when the Divine Command revealed to the final Messenger of Allah, on him be peace, was as is conveyed in verse 103 of Surah *Al-'Imran*:

"And hold fast, all together, unto the bond with Allah, and do not draw apart from one another. And remember the blessings which Allah has bestowed upon you: how, when you were enemies, he brought your hearts together, so that through His blessing you became brethren; and (how, when) you were on the brink of a fiery abyss, He saved you from it."

What I wish to convey in the end is that the Schools of Jurisprudence, informally inaugurated by Imams Abu Hanifah, Malik, Al-Shafi'i and Ibn Hanbal, *rahmatullahi 'alaihim 'ajmain*, were not to be the citadels, preparing for mutual clashes and internecine feuds, but to act as the disciplined fortresses of Islam in its totality. In all certainty, they were also to be the beehives of arts of peace, of Islamic Sciences and Education, and of mutual affection and enlightenment. Accordingly, all the Imams, the earliest as well as the later ones (I mean their

successors in right sense), had in view one single goal of winning the Pleasure of Allah, and doing justice to His Last Prophet's supreme mission on the Earth. The worthy Imams could succeed in realising that great aim by responding positively to verse 110 of Surah *Al-Imran* which reads in part: "*Ye are the best of Peoples, evolved for Mankind, enjoining what is right, forbidding what is wrong, and believing in God....*" And this particular verse must have been understood by those farsighted leaders with verses 104 and 105 of the same Surah which contribute to the perfection of the Islamic idea of a Community or Society. I cite the same here so that any deviations from the right course could be stopped:

"Let there arise out of you a band of people inviting to all that is good, enjoining what is right, and forbidding what is wrong: they are the ones to attain felicity.

"Be not like those who are divided amongst themselves and fall into disputations after receiving clear Signs: for them is a dreadful Penalty."

And such a sublime goal they could not achieve unless they guarded the *Khair-i Ummah* against any kind of disruption about the effect of which verse 46 of Surah *al-Anfal* spoke thus: "*And obey God and His Apostle; and fall into no disputes, lest ye lose heart and your Power depart; and be patient and persevering: for God is with those who patiently persevere.*" (VIII: 46).

Indeed, while working and speaking in their fields of specialisation, the four great Imams and their true successors kept in mind the norms of the Holy Quran and the essential spirit of the Sunnah of the Apostle of Allah, on him be peace. On that ground and by virtue of their respective roles in reconstructing the Society in true Islamic sense, and because of the lasting good they did by their detached and dedicated efforts and personal sacrifices, by facing odds and afflictions at

the hands of the oppressors, each one of the founder-Imams in particular deserves the highest honour and applause. We are hardly qualified to judge the lasting achievements of each Imam, namely, Abu Hanifah, Malik, al-Shafi'i and Ibn Hanbal, Allah bless their souls. But because of their miraculous worth, imperishable work, permanent contributions, they are to us, Four Emeralds in the Crown of Islam, which is embellished further by numerous gems that were added to it in the subsequent centuries. And these latter could be none but the dynamic successors, founder-jurists and the traditionists.

The time is opportune that we Muslims mend ourselves and our society and thus mend our fences too. We have not lost merely the decades of contributions to ourselves, to the Ummah and the rest of Humanity, but that we have for centuries been reduced to liabilities by the overt and covert action of indigenous as well as alien factors. We have witnessed eras of disorder perpetrated by oppressive rulers who were assisted by sycophants, timid officials, spineless scholars and avaricious human tools. Thereafter, in medieval times, Muslim peoples in strategic and fertile areas and regions were subjugated by violent hordes, and the modern age began with the European imperialists and colonialists advancing into three directions including the Muslim world. The latest intruders into the realms of Islam whose territorial and material greed has caused disastrous consequences are still awaiting punishment for their crimes under Divine Law of Retribution. The kind of disorder, in its various forms and dimensions, the world has seen since the decline of Muslim Power (Arab/Islamic communities, were not less responsible for their afflictions and backwardness) as per the content of the Holy Quran goes, apparently, against the Will and Super-Scheme of the Creator Who has commanded, "*Work not confusion in the Earth after the fair ordering (thereof), and call on Him in fear and hope. Lo! the Mercy of God is nigh unto the good.*" (Al-Quran, VII: 56).

The illustrious lives of all the four Imams, —Abu Hanifah, Malik bin Anas, Ibn Idris al-Shafi'i and Ahmad bin Hanbal (ra),

and the sum —total of their struggle and dedicated work, offer us a lesson and even serve a warning that slackness and complacency is to be given up in a situation that demands from Muslims to remain wide awake and promptly act to save the flame of Islamic resurgence from being extinguished. Disruption in every Muslim community and country is to be rooted out. The solidarity of all the legatees of Muhammad, '*alaihissalam*, is to be protected and upheld by all reasonable and just methods. In respect of exercise of authority Imam Abu Yousuf's *Kitab al-Kharaj* is an eye-opener. It sets forth the ways of regulating the conduct of the government and the governed.

When power and resources are misused, the machinery of law and order gets adversely affected, and, the doors of injustice through exploitation and discrimination remain open for an indefinite period which may only terminate at the appearance of a firm and farsighted leadership. History bears it out that the Islamic conduct of State always ensured the rights of the people and clearly defined the duties of both the rulers and the ruled. But when the system lacked efficacy and effectiveness, acute problems took their birth in the society, and with the loss of values, political power, economic solvency or sufficiency, both the cultural identity and social and individual character were lost. The ultimate result was that the Muslim countries and communities, both in medieval and modern times, became subservient to alien ascendancy and foreign control. In a helpless condition, created partly by the Muslims themselves, they forgot their supreme mission and the Message they had inherited from the nobler past.

Since last three centuries, the regions and lands in Asia and Africa, predominantly Muslim, strategically important and replete with natural resources, were coveted and captured by foreign exploiters. They perpetuated their rule or occupation by keeping the peoples thereof in turmoil. The methods adopted were varied. They suppressed them by the use of latest or superior weapons. They created factions to engage them in feuds. They encouraged religious and political conversions. They

misused the Media and propagated false things about the religion and history of Islam. They caused political and economic restlessness to maintain their own hegemony. Lastly, towards the close of the last century, the arrogant global and continental aggrandisers have been busy in accentuating differences between Muslim neighbours and have actually caused two or more destructive regional wars. The aim was to reduce them, one and all, to economic subjugation and dependence. The ultimate motive of the geo-political planners and strategists is to demolish the historic edifice of Islam and drown the vessel that sails with the messengers of peace and justice, never to revive the ideal. If things go the way of global bosses and their satellites, the world of Islam will not be able to play its destined role. And it has been recognised by dispassionate thinkers and writers of the West that Humanity's salvation lies in Islam and its right-guided votaries. It is worthwhile to quote here the statement of Dr. Arnold Joseph Toynbee, one of the several reputed and visionful observers. Writes he:

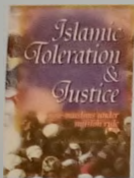
"Today, the modern world stands in need of Islamic tolerance and universal brotherhood and the Muslim world has to play its role in the shaping of a harmonious and peaceful and happy destiny for the war-weary, tension-tossed and the ideology-torn world."

This observation of Prof. Toynbee which sends up a high hope, should inspire Muslims all over the world, and they are expected to make a positive response to the noble call. Will it not be an un-Islamic action then to abandon a great mission and a glorious role, and, on the other hand, remain abjectly engaged in sectarian tussles, and at the same time sell out higher values and morality of Islam for crumbs, loaves and peanuts, and be deprived of the torch of future greatness.

In essence, the lesson from all the four distinguished Imams and from the present lot of the Muslim Ummah within its territories, is that the Muslims must needs return without

waste of time to the genuine principles of Islamic conduct. Everywhere and in all regions they must rebuild a super collective character in accordance with the Holy Quran and the Prophet's Sunnah and the finer examples of the Right-Guided Caliphs. Thus they will save themselves and their organisations from indulging in any turbulence or tumult, remembering well the tradition that *disruption is worse than massacre* (الفتنة أشد من القتل), and, massacre as a devastating activity is condemned by the Holy Quran. Again, were anyone to instigate others to create disorder and discord also stands exacerbated. The famous Saying, that will be kept in mind and treated as a motto to help promote Islamic Accord, peace, justice and security, purposely issues a drastic warning also, is, "*disruption or tumult is sleeping: one who awakes it, stands accursed*" (in the sight of God), (الفتنة نائمة من أيقظها هو ملعون). Let all of us hearken to and think over this unpleasant yet shocking message!

On me is but to convey!



Islamic Toleration and Justice

non muslims under muslim rule

Dr. Sheikh Mohd. Iqbal

The present book grew from Dr. Iqbal's addresses to explain how the Muslim Rulers in the past treated the Jews, Christians and Hindus in a spirit of justice and realism. Too significant a part is the Prolegomena of the book which stresses the need to enforce Islamic teachings. Without this, neither the Muslims can form themselves into a judicious and a healthy society, nor can they deliver the world from its present turmoil. The author emphatically re-explains common view that in the Message of Islam lies the effective remedy to the ills of mankind.

About the Author

"The Author, Sheikh Mohammad Iqbal", graduated from the Punjab University, Lahore, did his Master's and Law from A.M.U., Aligarh, and obtained his Ph.D. from International School, Sapru House, New Delhi in 1962. His fields of specialization are Saudi Arabia, early Islamic History and Arab/Islamic issues. Widely travelled, Dr. Iqbal worked as Fulbright-Hays senior scholar and visiting Asian Professor in the United States. He has contributed about thirty books and numerous Research Papers and articles and has been richly commented upon by eminent scholars and statesmen.